

# Colorado Division of Criminal Justice Correctional Population Forecasts

**Pursuant to 24-33.5-503 (m), C.R.S.**

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January 2015**

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*This project was supported by Grant No. 27 DJ 06 59 3 awarded by the Bureau of Justice Assistance through DCJ's Office of Adult and Juvenile Justice Assistance. The U.S. Bureau of Justice Assistance is a component of the federal Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions in this report are those of the authors and do not represent the official position or policies of the United States Department of Justice.*



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# Executive Summary

After decades of continuous growth, the Colorado adult prison population began to decrease in FY 2010. This decline accelerated dramatically in FY 2012 and FY 2013, but reversed sharply beginning in the fourth quarter of FY 2013. This trend has continued through early FY 2015 and is expected to do so throughout the current projection period.

The prison population is expected to increase 16.5% between fiscal years 2014 and 2021, from an actual year-end population of 20,522 in FY 2014 to a projected population of 23,934 inmates by FY 2021. The number of men in prison is expected to increase 16.5% by the end of FY 2021, from 18,619 to 21,692, while the number of women in prison is expected to increase 17.8%, from 1,903 to 2,242.

During FY 2015, the total population is projected to increase 2.5%. Growth is then forecast to slow slightly to 2.1% in FY 2016, and to 2.0% in FY 2017. A slight acceleration in the growth rate is expected in the following year, up to 2.6%, followed by a gradual slowing over the following 3 years. The female inmate population in particular is expected to realize significant growth in FY 2015, at 5.6%. The growth rate of women in prison is then expected to slow substantially across the following six years, to 1.4% by FY 2021.

The domestic parole caseload is projected to decrease 5.6% by the end of FY 2015. This decline is expected to continue through FY 2018, followed by a period of growth over the following three years. Overall, the domestic parole caseload is expected to decrease from 8,116 to 7,735, or 4.7%, between FY 2014 and FY 2021. The total parole caseload is expected to decrease 6.1% over the same time frame, from 10,432 parolees to 9,791.

In contrast to the adult prison population, the juvenile commitment and detention populations are expected to continue the declining trend observed over the past eight years. The commitment average daily population is projected to decrease 6.3%, reaching 746.0, by the end of FY 2015. By the end of FY 2019, the population is expected to fall to 599.7, a 24.8% decline. New commitments are also expected to continue declining, falling 16.0% by the end of FY 2015. This decline in admissions is expected to continue through FY 2019, though at a slower rate.

The juvenile parole average daily caseload is expected to decrease by 13.8% over the course of FY 2015 and by 26.5% between FY 2014 and FY 2019, reaching 209.6 by the end of FY 2019. While the juvenile detention population is expected to remain relatively stable across FY 2015, an overall decrease of 16.2% is expected by the end of the forecast period, resulting in an average daily population of 243.6 by the end of FY 2019.

These projections are based on historical trends in these populations, including criminal and juvenile delinquency court filings, probation revocations, and shifts in all aspects of the criminal and juvenile justice systems. Recent legislation and parole practice reforms also significantly influence these forecasts.



# Introduction

## Background

The Colorado Division of Criminal Justice (DCJ), pursuant to 24-33.5-503(m), C.R.S., is mandated to prepare correctional population projections for the Director of the Legislative Council and the General Assembly. Per statute, DCJ has prepared projections of these populations since the mid-1980s. This report presents the December 2014 forecasts for the Colorado adult prison and parole populations and for the Colorado juvenile commitment, detention and parole populations.

The adult prison and parole forecasts estimate the size of these populations across the upcoming seven years. Additionally, they are utilized to simulate alternative future populations based on specific changes in laws, policies, or practices. Also included are estimates regarding average length of stay for future populations, which are used to calculate cost savings resulting from proposed legislation and policy changes.

The juvenile commitment, detention and parole forecasts estimate the average daily populations over the upcoming five years. The inclusion of detention population forecasts is a relatively new addition, as these forecasts were suspended with the enactment of legislation in 2003 which established a limit on the number of detention beds. However, with the recent declines in all juvenile corrections populations including detention, the reintroduction of juvenile detention projections was requested by the Colorado Joint Budget Committee in 2012.

## Organization of This Report

The first section of this report describes the Colorado Criminal Justice Forecasting Model (CCJFM) and the assumptions applied to the current year's projections. Following this discussion, the adult prison and parole population projections for fiscal years 2015 through 2021 are presented, including quarterly inmate population projections and annual admission and release projections. These are followed by annual projections for domestic parole, out-of-state and absconder populations. Also included are estimates of the average lengths of stay by offender category for the fiscal year 2014 cohort of prison admissions.

The last section of the report presents the juvenile commitment, detention and parole projections for fiscal years 2015 through 2019. The juvenile population estimates include year-end and quarterly average daily population (ADP) forecasts for the committed population statewide. These are followed by statewide year-end and quarterly detention ADP forecasts and year-end average daily caseload (ADC) forecasts for the juvenile parole population statewide.

# The Colorado Criminal Justice Forecasting Model

## Justice and Demographic Information

Data from multiple sources are incorporated into the forecasting model to simulate the flow of individuals into the system, as well as the movement of those already in the system. These data include information concerning admissions to and releases from the Colorado Department of Corrections (DOC) and from DYC, as well as the adult and juvenile populations currently incarcerated. Colorado population forecasts are provided by the Demographer's office of the Department of Local Affairs. Criminal and juvenile case prosecution, conviction, sentencing and probation revocation data are obtained from the Colorado Judicial Branch's information management system (ICON) and from annual reports issued by the Judicial Department.<sup>1,2</sup>

## Adult Prison Population Forecasting Methodology

Future prison populations are modeled in terms of three cohorts: new court commitments to prison, parole returns to prison, and the population currently incarcerated. The future admissions cohort estimates the composition and number of future admissions, including offenders who fail probation or community corrections and are subsequently incarcerated due to a technical violation of probation. Projected future admissions are based on historical prison admission trends, taking into account crime trends, observed criminal case filings, conviction rates and sentencing practices. Trends in probation placements and probation revocation rates are also examined.

A variety of statistical models are generated to develop the future admissions projections, incorporating recent changes in laws or policy. This projected future admissions cohort is disaggregated into approximately 70 offender profile groups according to governing offense type, felony class and sentence length.

Parole revocations are estimated using a cohort propagation method, which tracks cohorts of individuals paroled each year and calculates the rate of reduction in the size of each cohort according to assumptions regarding length of stay on parole and revocation rates. The estimated number of future parole revocations is then included in the future admissions cohort.

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<sup>1</sup> Data concerning criminal court filings are extracted from the Judicial Branch's information management system (ICON) and analyzed by DCJ's office of Research and Statistics.

<sup>2</sup> Colorado State Judicial Branch (2007-2014). *Colorado Judicial Branch Annual Reports*. Denver, CO: Colorado Judicial Branch, Division of Probation Services.; Colorado State Judicial Branch (2007-2014). *Colorado Judicial Branch Annual Recidivism Reports*. Denver, CO: Colorado Judicial Branch, Division of Probation Services. Available at <http://www.courts.state.co.us/Administration/Unit.cfm?Unit=eval>



While the number of offenders admitted to prison each month of the projection period is tracked, the duration of their stay in prison is estimated and the point at which they are expected to be released from prison is also tracked. The length of stay in prison is estimated using data concerning the length of stay for offenders with similar profiles released in prior years, adjusted to reflect recent changes in law or policy. Cumulative survival distributions are developed and applied to each of the offender profile/sentence length groups to estimate a rate of release and the remaining population on a monthly basis.

The cohort of offenders that are currently incarcerated is treated in a similar manner. This cohort is also disaggregated into approximately 70 offender profile and sentence length groups, with cumulative survival distributions calculated to estimate their rate of release. These survival distributions are adjusted to reflect changes in law or policy that may impact those currently incarcerated, which may differ from those impacting the future admissions cohort. The release of offenders currently in prison (referred to as the stock population), the estimates of future admissions, and the anticipated release of those admissions are combined to forecast the size of incarcerated populations in the future.

A different approach is used to forecast parole populations. The number of releases to parole each year is estimated in the process of developing the prison population forecast. An average length of stay is applied to determine the number that will remain on parole at the end of each year and the number that will carry over into the following year. These figures are summed to estimate the number of parolees at the end of each fiscal year.

### **Assumptions Affecting the Accuracy of the DCJ Projections**

The projection figures for the Colorado Department of Corrections' incarcerated and parole populations and for the Division of Youth Corrections' commitment and parole populations are based on the multiple assumptions outlined below.

- ❑ The Colorado General Assembly will not pass new legislation that impacts the length of time offenders are incarcerated or the number of individuals receiving such a sentence.
- ❑ The General Assembly will not expand or reduce community supervision programs in ways that affect commitments.
- ❑ Decision makers in the justice system will not change the way they use their discretion, except in explicitly stated ways that are accounted for in the model.
- ❑ The data provided by the Colorado Departments of Corrections and Human Services accurately describe the number and characteristics of offenders committed to, released from, and retained in DOC and DYC facilities.
- ❑ Incarceration times and sentencing data are accurate.

- ❑ Admission, release and sentencing patterns will not change dramatically from the prior year through the upcoming 7 years, except in ways that are accounted for in the current year's projection model.
- ❑ Seasonal variations observed in the past will continue into the future.
- ❑ The forecasts of the Colorado population size, gender and age distributions provided by the Colorado Demographer's Office are accurate.
- ❑ District court filings, probation placements and revocations are accurately reported in annual reports provided by the Judicial Department.
- ❑ No catastrophic event such as war, disease or economic collapse will occur during the projection period.

# Colorado Adult Prison Population and Parole Caseload Projections

## ADULT INMATE POPULATION FORECAST

The Colorado prison population is expected to increase by 16.5% between fiscal years 2014 and 2021, from an actual year-end population of 20,522 to a projected population of 23,934 inmates. During FY 2015 alone, the total population is projected to increase by 2.5%. Growth is then forecast to slow slightly to 2.1% in FY 2016, and to 2.0% in FY 2017. A slight acceleration in the growth rate is expected in the following year, up to 2.6%, followed by a gradual slowing over the following 3 years. These growth rates are higher than those projected by DCJ last year, for reasons that will be outlined later in this report.

The number of men in prison is expected to increase 16.5% by the end of FY 2021, from 18,619 to 21,692, while the number of women in prison is expected to increase 17.8%, from 1,903 to 2,242.

The female inmate population in particular is expected to realize significant growth in FY 2015, at 5.6%. The growth rate of women in prison is then expected to slow substantially across the following six years, to 1.4% by FY 2021.

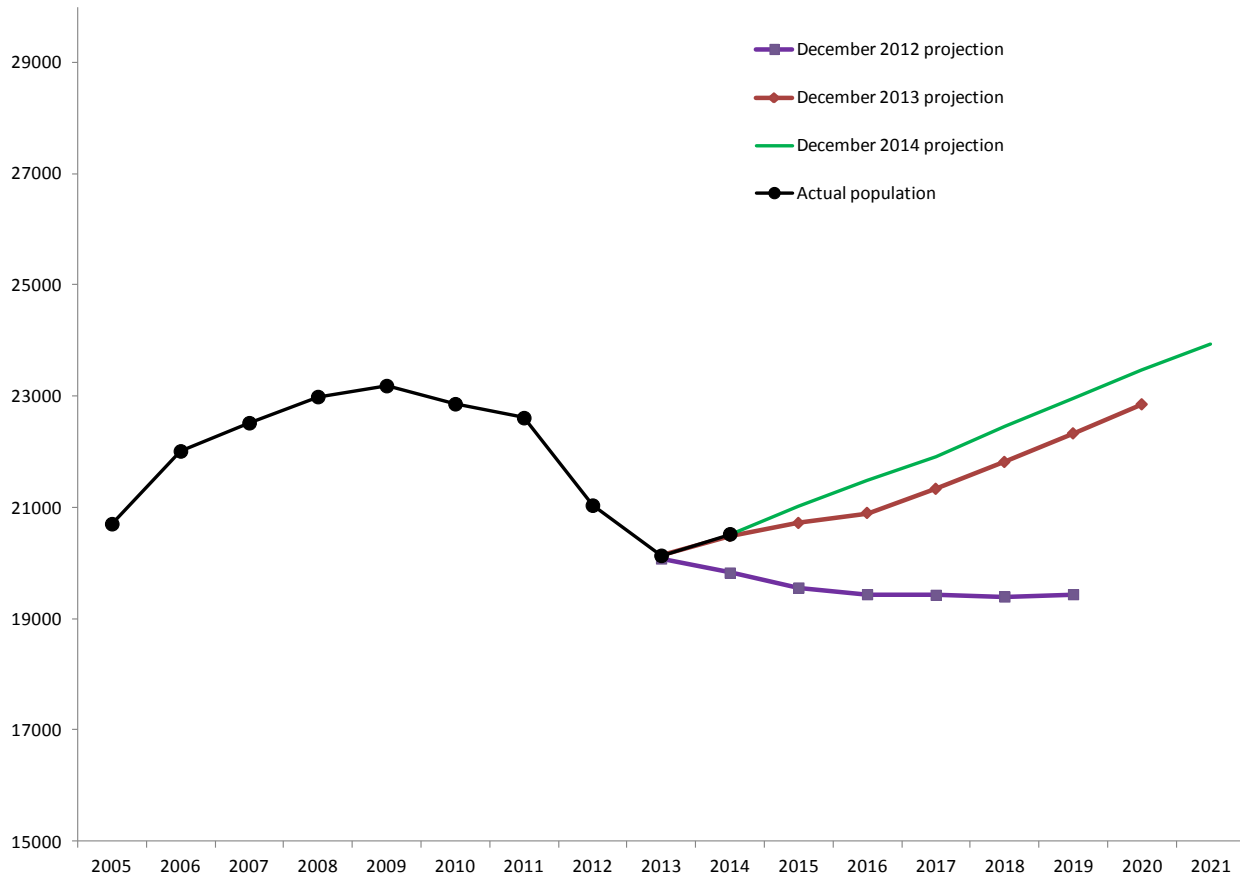
Figure 1 displays the year-end inmate populations between FY 2005 and FY 2014, and compares the current projections to the DCJ December 2012 and December 2013 projection figures. As shown, after decades of continuous growth, the population began to decrease in FY 2010. This decline accelerated dramatically in FY 2012 and FY 2013. However, this pattern demonstrated a sharp reversal beginning in the fourth quarter of FY 2013, which has continued through November 2014 and is expected to continue throughout the projection period. This expectation is based on a number of factors which are described in the next section.

### **IN BRIEF:**

***The Colorado prison population is expected to increase 16.5% between fiscal years 2014 and 2021, from an actual year-end population of 20,522 to a projected population of 23,934 inmates. The number of men in prison is expected to increase 16.5% by the end of FY 2021, from 18,619 to 21,692, while the number of women in prison is expected to increase 17.8%, from 1,903 to 2,242.***

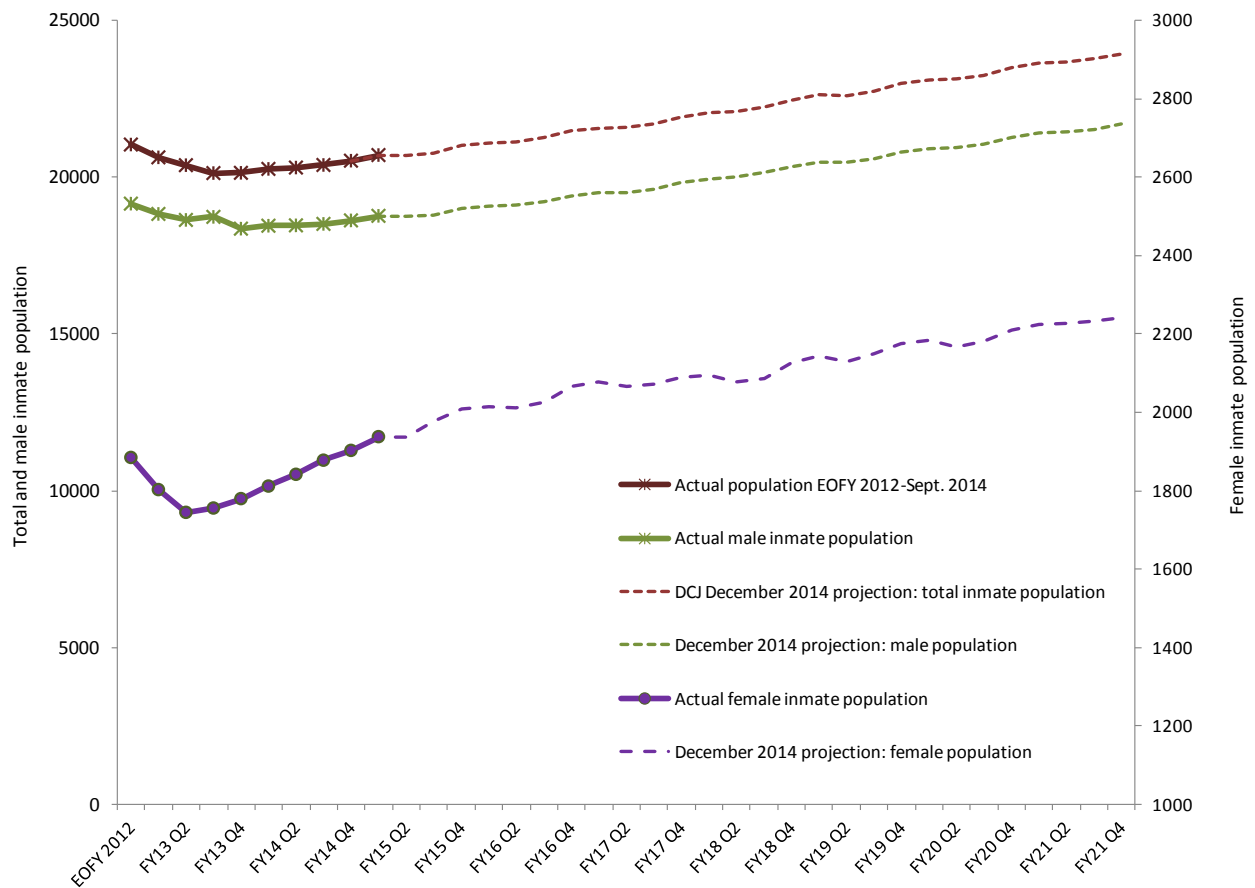
***The domestic parole caseload is projected to decrease 5.6% by the end of FY 2015. This decline is expected to continue through FY 2018, followed by a period of growth over the following three years. Overall, the domestic parole caseload is expected to decrease 4.7%, from 8,116 to 7,735, between FY 2014 and FY 2021. The total parole caseload is expected to decrease 6.1% over the same time frame, from 10,432 parolees to 9,791.***

**Figure 1: Actual and projected total prison population FY 2005 through FY 2021: Comparison of DCJ 2012, 2013 and 2014 Prison Population Projections**



Data source: Actual population figures FY 2005 through FY 2014: Colorado Department of Corrections Monthly Capacity and Population Reports.

Figure 2, below, demonstrates the quarterly prison population between the end of FY 2012 through the first quarter of FY 2015 (September, 2014), and the projected population at the end of each quarter through the fourth quarter of FY 2021. This figure also displays the actual and projected growth separately for the male and the female inmate populations.

**Figure 2: Actual and projected quarterly prison population FY 2012 through FY 2021**

Data source: Actual population figures June 30, 2012 through September 30, 2014: Colorado Department of Corrections Monthly Capacity and Population Reports.

Table 1 displays the historical total and gender-specific growth in the prison population by fiscal year for FY 1995 through FY 2014, as well as the projected population through the end of fiscal year 2021. Table 2 displays total and gender-specific projected growth in the prison population by quarter for fiscal years 2015 through 2021. Annual projected numbers of admissions by type are given in Table 3, followed by the projected number of releases in Table 4.

Historical and projected trends in admission types for fiscal years 2011 through 2021 are graphically displayed in Figure 3. Release trends for the same time frame can be found in Figures 4 and 5.

**Table 1: DCJ December 2014 Adult Prison Population Projections: Actual and projected populations  
FY 1995 through FY 2021**

Fiscal Year End	Total Prison		Male Population		Female Population	
	Population	Annual Growth	Population	Annual Growth	Population	Annual Growth
<b>1995*</b>	10,669	-	10,000	-	669	-
<b>1996*</b>	11,019	3.28%	10,250	2.50%	769	14.95%
<b>1997*</b>	12,590	14.26%	11,681	13.96%	909	18.21%
<b>1998*</b>	13,663	8.52%	12,647	8.27%	1,016	11.77%
<b>1999*</b>	14,726	7.78%	13,547	7.12%	1,179	16.04%
<b>2000*</b>	15,999	8.64%	14,733	8.75%	1,266	7.38%
<b>2001*</b>	16,833	5.21%	15,498	5.19%	1,340	5.85%
<b>2002*</b>	18,045	7.20%	16,539	6.72%	1,506	12.39%
<b>2003*</b>	18,846	4.44%	17,226	4.15%	1,620	7.57%
<b>2004*</b>	19,569	3.84%	17,814	3.41%	1,755	8.33%
<b>2005*</b>	20,704	5.80%	18,631	4.59%	2,073	18.12%
<b>2006*</b>	22,012	6.32%	19,792	6.23%	2,220	7.09%
<b>2007*</b>	22,519	2.30%	20,178	1.95%	2,341	5.45%
<b>2008*</b>	22,989	2.09%	20,684	2.51%	2,305	-1.54%
<b>2009*</b>	23,186	0.86%	20,896	1.02%	2,290	-0.65%
<b>2010*</b>	22,860	-1.41%	20,766	-0.62%	2,094	-8.56%
<b>2011*</b>	22,610	-1.09%	20,512	-1.22%	2,098	0.19%
<b>2012*</b>	21,037	-6.96%	19,152	-6.63%	1,885	-10.15%
<b>2013*</b>	20,135	-4.29%	18,355	-4.16%	1,780	-5.57%
<b>2014*</b>	20,522	1.92%	18,619	1.44%	1,903	6.91%
<b>2015</b>	21,026	2.46%	19,017	2.14%	2,009	5.59%
<b>2016</b>	21,478	2.15%	19,411	2.08%	2,066	2.83%
<b>2017</b>	21,903	1.98%	19,813	2.07%	2,090	1.15%
<b>2018</b>	22,466	2.57%	20,338	2.65%	2,127	1.78%
<b>2019</b>	22,970	2.24%	20,793	2.24%	2,177	2.31%
<b>2020</b>	23,478	2.21%	21,268	2.28%	2,210	1.55%
<b>2021</b>	23,934	1.94%	21,692	2.00%	2,242	1.41%

\*Actual population figures. Data sources: Colorado Department of Corrections Annual Statistical Reports and Monthly Capacity and Population Reports.

**Table 2: DCJ December 2014 Quarterly Adult Prison Population Projections June 2014 through June 2021**

Fiscal Year	End of Month	Total Prison		Male Population		Female Population	
		Population	Growth	Population	Growth	Population	Growth
<b>2014</b>	<i>June 2014*</i>	20,522	0.67%	18,619	0.61%	1,903	1.33%
<b>2015</b>	<i>September 2014*</i>	20,702	0.88%	18,764	0.78%	1,938	1.84%
<b>2015</b>	December 2014	20,692	-0.05%	18,755	-0.05%	1,937	-0.07%
<b>2015</b>	March 2015	20,767	0.36%	18,790	0.18%	1,978	2.12%
<b>2015</b>	June 2015	21,026	1.25%	19,017	1.21%	2,009	1.60%
<b>2016</b>	September 2015	21,073	0.22%	19,058	0.22%	2,015	0.27%
<b>2016</b>	December 2015	21,106	0.16%	19,093	0.18%	2,013	-0.10%
<b>2016</b>	March 2016	21,251	0.68%	19,225	0.69%	2,025	0.61%
<b>2016</b>	June 2016	21,478	1.07%	19,411	0.97%	2,066	2.03%
<b>2017</b>	September 2016	21,565	0.40%	19,487	0.39%	2,078	0.55%
<b>2017</b>	December 2016	21,578	0.06%	19,512	0.13%	2,066	-0.56%
<b>2017</b>	March 2017	21,685	0.50%	19,614	0.52%	2,072	0.29%
<b>2017</b>	June 2017	21,903	1.00%	19,813	1.02%	2,090	0.87%
<b>2018</b>	September 2017	22,046	0.66%	19,952	0.70%	2,095	0.22%
<b>2018</b>	December 2017	22,096	0.23%	20,018	0.33%	2,078	-0.81%
<b>2018</b>	March 2018	22,221	0.56%	20,134	0.58%	2,086	0.42%
<b>2018</b>	June 2018	22,466	1.10%	20,338	1.01%	2,127	1.96%
<b>2019</b>	September 2018	22,626	0.71%	20,483	0.71%	2,143	0.73%
<b>2019</b>	December 2018	22,608	-0.08%	20,478	-0.02%	2,129	-0.62%
<b>2019</b>	March 2019	22,737	0.57%	20,589	0.54%	2,148	0.87%
<b>2019</b>	June 2019	22,970	1.02%	20,793	0.99%	2,177	1.33%
<b>2020</b>	September 2019	23,103	0.58%	20,919	0.60%	2,184	0.36%
<b>2020</b>	December 2019	23,114	0.05%	20,947	0.13%	2,167	-0.79%
<b>2020</b>	March 2020	23,221	0.46%	21,040	0.45%	2,181	0.63%
<b>2020</b>	June 2020	23,478	1.11%	21,268	1.08%	2,210	1.35%
<b>2021</b>	September 2020	23,647	0.72%	21,422	0.73%	2,225	0.66%
<b>2021</b>	December 2020	23,664	0.07%	21,436	0.07%	2,228	0.13%
<b>2021</b>	March 2021	23,763	0.42%	21,529	0.43%	2,234	0.26%
<b>2021</b>	June 2021	23,934	0.72%	21,692	0.76%	2,242	0.35%

\*Actual population figures. Data source: Colorado Department of Corrections Monthly Population and Capacity Reports.

**Table 3: DCJ December 2014 Adult Prison Population Projections: Actual and projected prison admissions by type, FY 2005 through FY 2021**

Fiscal Year End	Prison Admissions				Total Admissions
	New Court Commitments	Parole Returns with a New Crime	Technical Parole Violations	Other Admits	
<b>2005*</b>	5,789	835	2,649	160	9,433
<b>2006*</b>	6,149	1,034	2,792	193	10,168
<b>2007*</b>	6,380	1,014	3,047	188	10,629
<b>2008*</b>	6,296	1,221	3,353	168	11,038
<b>2009*</b>	5,922	1,131	3,776	163	10,992
<b>2010*</b>	5,345	1,039	4,164	156	10,704
<b>2011*</b>	5,153	962	3,678	142	9,935
<b>2012*</b>	4,926	813	3,248	129	9,116
<b>2013*</b>	5,149	787	3,571	90	9,597
<b>2014*</b>	5,241	848	4,067	100	10,256
<b>2015</b>	5,196	824	3,955	102	10,076
<b>2016</b>	5,253	776	3,725	104	9,857
<b>2017</b>	5,314	756	3,628	106	9,805
<b>2018</b>	5,442	771	3,703	109	10,026
<b>2019</b>	5,562	779	3,740	111	10,193
<b>2020</b>	5,679	801	3,846	113	10,439
<b>2021</b>	5,798	819	3,931	116	10,663

\*Actual prison admission figures. Data source: Colorado Department of Corrections Annual Statistical Reports; Admission and Release Trends Statistical Bulletins; Monthly Capacity and Population Reports.



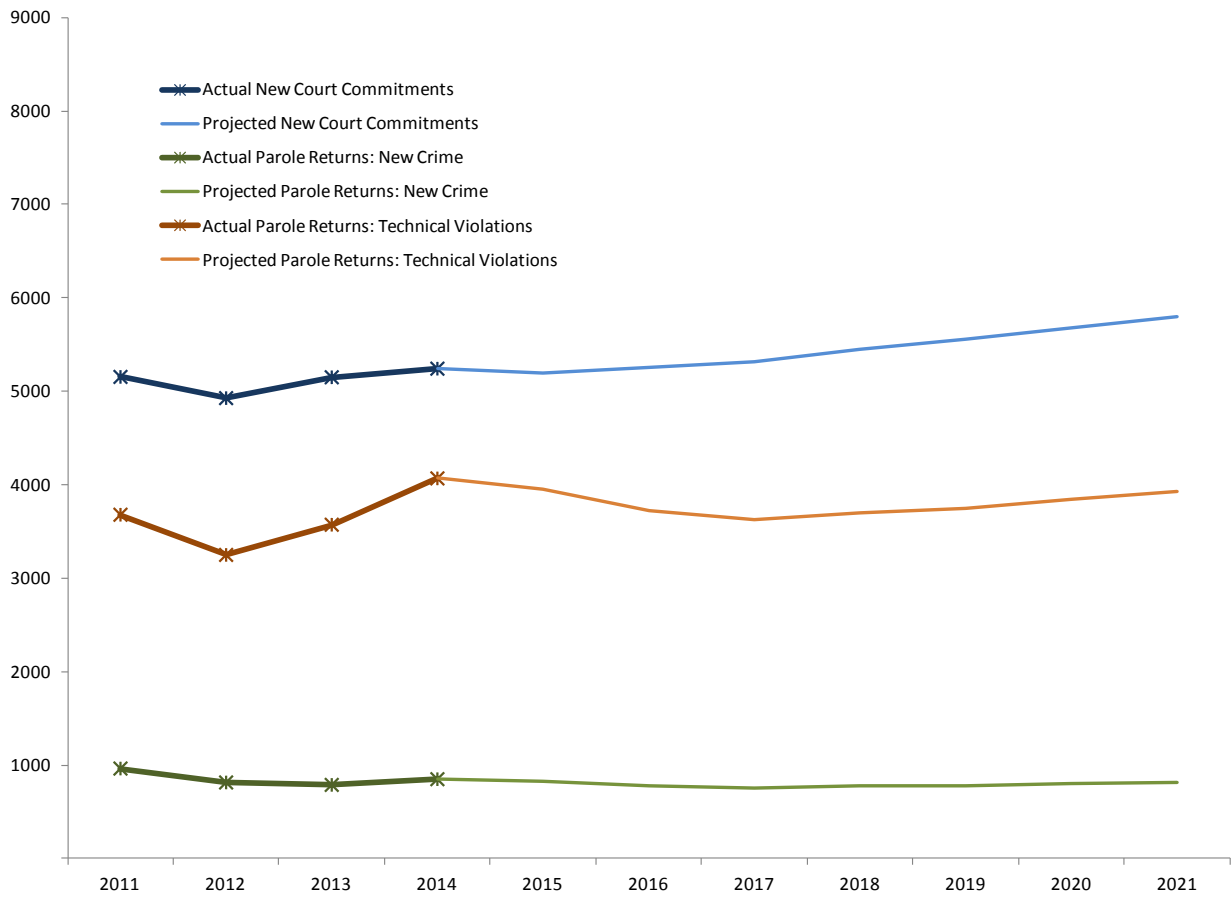
**Table 4: DCJ December 2014 Adult Prison Population Projections: Actual and projected prison releases by type, FY 2005 through FY 2021**

Fiscal Year End	Releases to Parole			Sentence Discharge	Other <sup>2</sup>	Total Discharges
	Mandatory	Discretionary <sup>1</sup>	Total			
<b>2005*</b>	4,688	1,598	6,286	1,576	387	8,249
<b>2006*</b>	4,370	2,813	7,183	1,397	374	8,954
<b>2007*</b>	3,439	5,069	8,508	1,283	319	10,110
<b>2008*</b>	3,279	5,596	8,875	1,367	323	10,565
<b>2009*</b>	4,918	4,118	9,036	1,452	315	10,803
<b>2010*</b>	6,466	2,868	9,334	1,415	284	11,033
<b>2011*</b>	6,413	2,095	8,508	1,427	225	10,160
<b>2012*</b>	5,584	3,607	9,191	1,284	183	10,658
<b>2013*</b>	5,140	3,806	8,946	1,397	163	10,506
<b>2014*</b>	5,020	3,219	8,239	1,509	161	9,909
<b>2015</b>	5,249	2,511	7,760	1,621	198	9,579
<b>2016</b>	5,093	2,466	7,559	1,502	204	9,265
<b>2017</b>	5,137	2,578	7,715	1,445	214	9,373
<b>2018</b>	5,187	2,606	7,792	1,456	216	9,465
<b>2019</b>	5,320	2,692	8,013	1,479	224	9,715
<b>2020</b>	5,435	2,755	8,190	1,507	229	9,926
<b>2021</b>	5,552	2,808	8,360	1,544	233	10,137

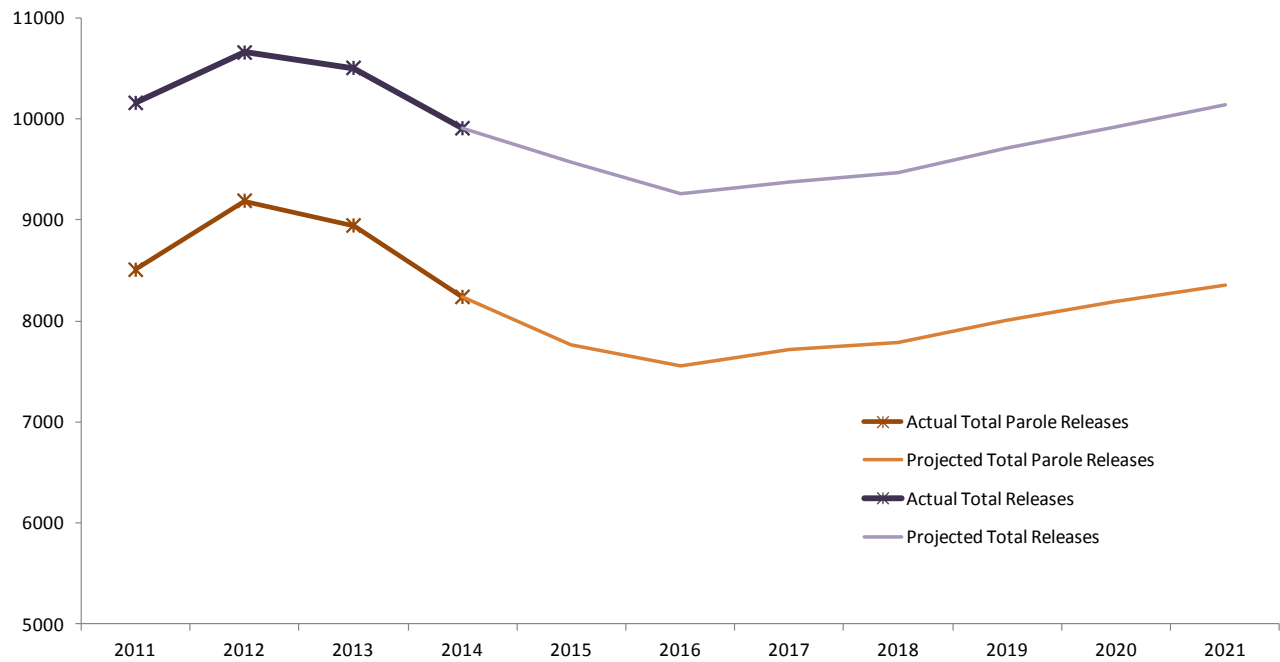
1. Due to a decrease in community transportation resources in 2005, inmates to be released on their mandatory release date were classified as discretionary releases. A change in the electronic coding of these inmates enabled them to be correctly classified as mandatory parole releases in 2008. The increase in discretionary releases between 2005 and 2008, and the decrease between 2008 and 2010 is an artifact of this change in coding.

2. This category includes, among other things death, releases on appeal, bond release, and court ordered discharges.

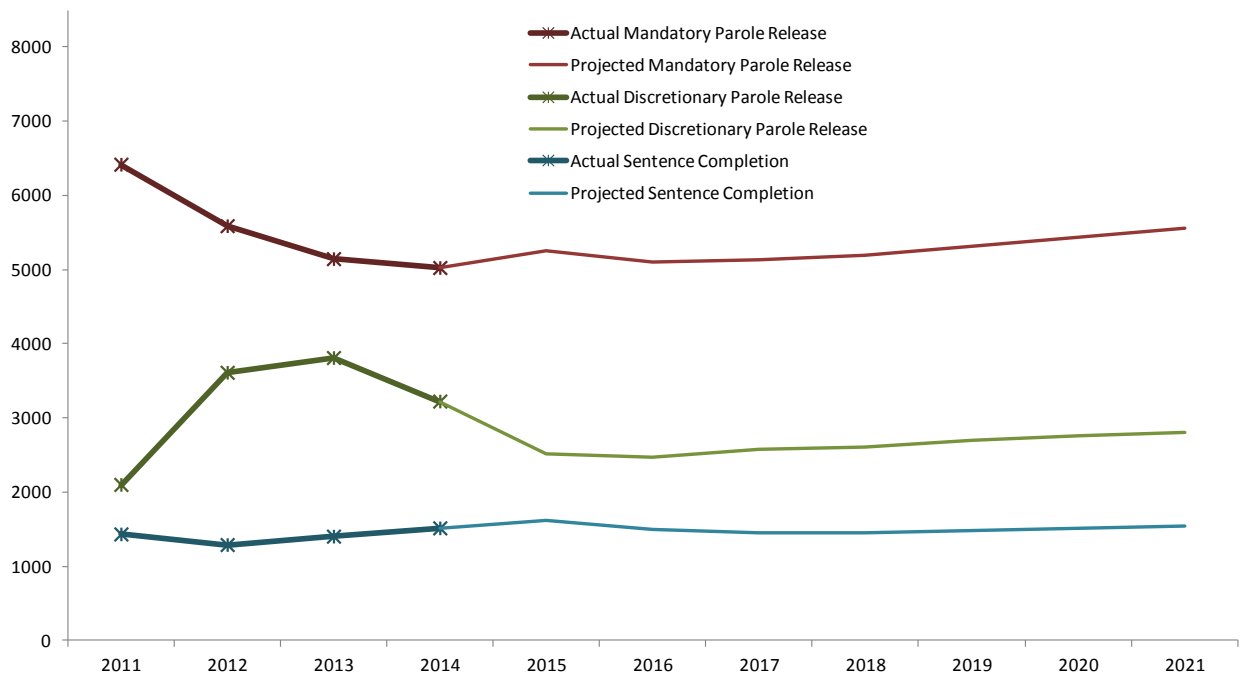
\*Actual prison discharge figures. Data Source: Colorado Department of Corrections Annual Statistical Reports; Admission and Release Trends Statistical Bulletins; Monthly Capacity and Population Reports.

**Figure 3: Colorado prison admissions by type: Actual and projected FY 2011 through FY 2021**

Data Source: Historical data obtained from the Colorado Department of Corrections Admission and Release Trends Statistical Bulletins.

**Figure 4: Colorado prison releases: Actual and projected FY 2011 through FY 2021**

Data Source: Historical data obtained from the Colorado Department of Corrections Admission and Release Trends Statistical Bulletins.

**Figure 5: Colorado prison release detail: Actual and projected FY 2011 through FY 2021**

Data Source: Historical data obtained from the Colorado Department of Corrections Admission and Release Trends Statistical Bulletins.

## FACTORS AFFECTING THE ADULT PRISON POPULATION PROJECTIONS

Prison admissions exceeded releases throughout the 2000's, resulting in a continuous growth in the prison population throughout the decade. In early FY 2010, this pattern reversed. In particular, new court commitments began to decline and the prison population began a period of decline which accelerated in fiscal years 2012 and 2013. However, releases were on a downward trend throughout FY 2013, while total admits were trending upward. By the last quarter of FY 2013, admits exceeded releases and the overall prison population began a renewed period of growth. This pattern continued through FY 2014 and to date in FY 2015.

Throughout FY 2014, prison admissions exceeded releases by 3.5%. Between July and November of 2014, admissions exceeded releases by 4.6%. While admissions do appear to have slowed slightly in early FY 2015, this is mainly due to a stabilization in parole returns while new court commitments to prison have increased. Since new court commitments will stay in prison much longer than parole returns, this serves to increase the overall population throughout the projection period.

New court commitments to prison increased by 4.5% in FY 2013 and by 1.8% in FY 2014. Based on the most recent data available, this population is expected to increase by another 2.2% in FY 2015. Factors influencing increases in new court commitments include overall population growth, increases in criminal filings, and probation revocations. Growth of the Colorado population between the ages of 24 and 44, the age group most likely to receive a sentence to prison, has remained under 1% for over a decade. This growth rate is expected to rise to 1.2% in FY 2016, increasing to an average of 1.9% over the next 5 years.<sup>3</sup> This will place upward pressure on prison admissions beginning in 2016 and throughout most of the projection period.

Criminal court filings have also increased over the past two years.<sup>4</sup> After 6 years of decline, the number of filings increased by 6.6% in FY 2013, and remained stable across FY 2014. This increase is expected to result in an increase in new court commitments in FY 2015 and FY 2016, as the number of new court commitments each year is directly correlated with the number of filings occurring during the prior year (see figure 6). However, the stabilization of criminal filings during FY 2014, along with a 5.9% decline in probation revocations, may serve to moderate the increase in new court commitments in beginning in late FY 2015.

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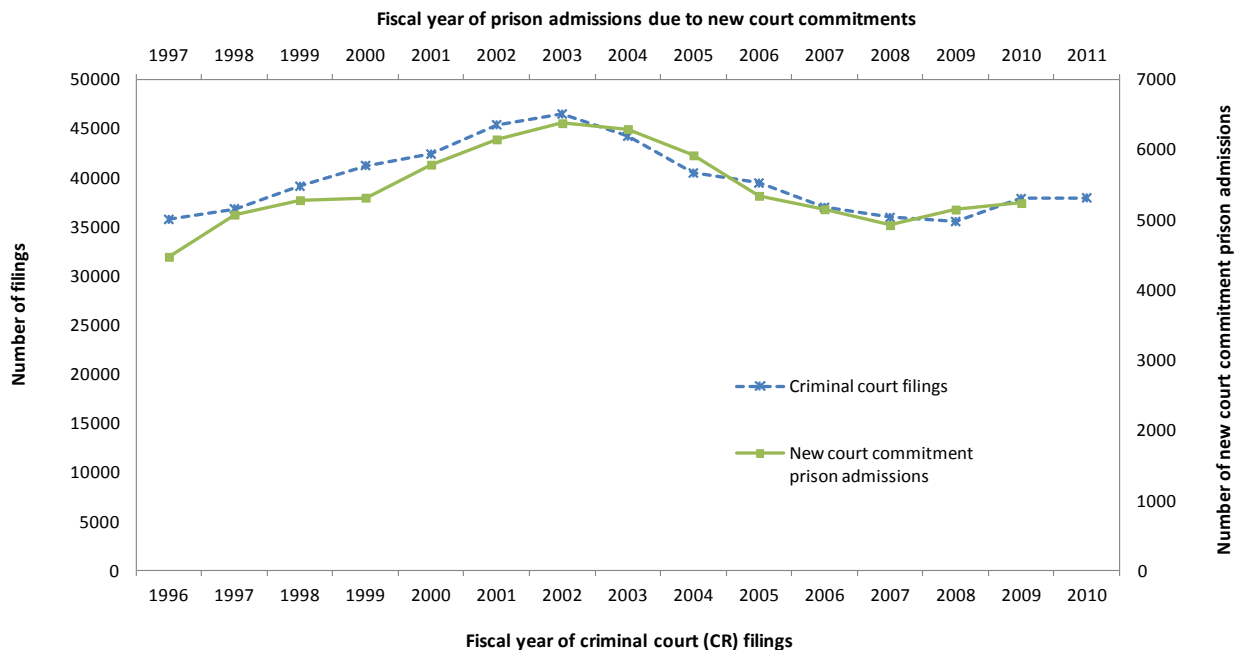
<sup>3</sup> Colorado State Demographer's Office, Department of Labor and Employment. Population forecasts based on the 2010 national census. Available at: [http://www.dola.state.co.us/dlg/demog/pop\\_colo\\_forecasts.html](http://www.dola.state.co.us/dlg/demog/pop_colo_forecasts.html).

<sup>4</sup> Colorado State Judicial Branch (2007-2014). *Colorado Judicial Branch Annual Reports*. Denver, CO: Colorado Judicial Branch, Division of Probation Services. Available at: <http://www.courts.state.co.us/Administration/Unit.cfm?Unit=annrep>.

Examining the types of crimes that new commitments were sentenced to prison for, the last two years have seen increases in the numbers of admits for both property crimes and violent crimes. Commitments for assault and kidnap increased 9% during FY 2014, and by 20% during FY 2013 and FY 2014 combined. Admissions for drug crimes, which had declined in both FY 2011 and FY 2012 followed by a 12.2% increase in FY 2013, dropped only slightly in FY 2014, by 2.1%.

Recent legislation is also expected to divert a number of offenders from prison sentences. Bills recently passed include House Bills 14-1266 and 13-1160, which will affect those convicted of property crimes, and Senate Bill 13-250, which revises sentences for drug offenders, are collectively expected to divert approximately 470 offenders per year from prison beginning in FY 2015 and throughout the projection period. In addition to decreasing admissions to prison, these bills will lower sentence lengths for up to 600 offenders per year, which will serve to reduce the overall population in FY 2017 forward.<sup>5</sup>

**Figure 6: Colorado criminal court filings 1996-2014 and prison admissions with new court commitments: one-year lag.**



Data Sources: Colorado Department of Corrections Annual Statistical Reports; Colorado Judicial Branch Annual Statistical Reports, FY 2000-FY 2014.

<sup>5</sup> Colorado Legislative Council Staff Fiscal Note (July 11, 2013). Concerning criminal theft, and, in connection therewith, reducing an appropriation (H.B. 13-1160); Colorado Legislative Council Staff Fiscal Note (May 1, 2013). Concerning changes to sentencing of persons convicted of drug crimes, and, in connection therewith, making an appropriation (S.B. 13-250); Colorado Legislative Council Staff Fiscal Note (June 10, 2014). Value-based crime threshold level changes (H.B. 14-1266).

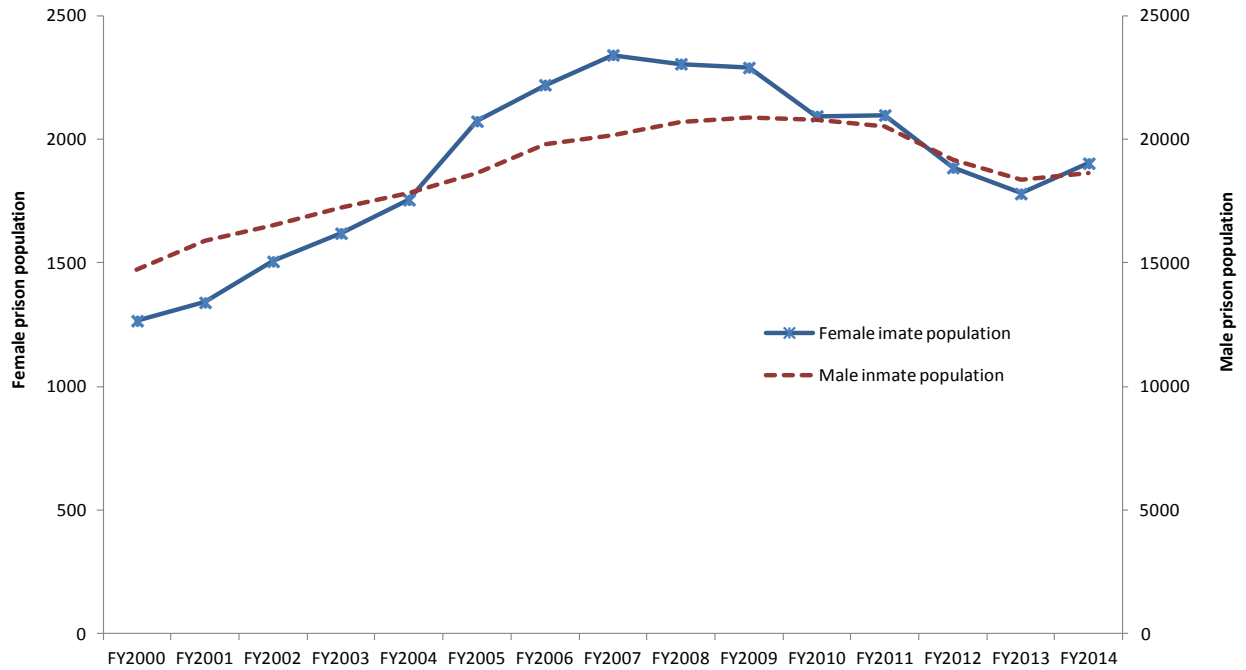
Admissions to prison due to technical violations of parole increased dramatically at the beginning of FY 2014, resulting in a 13.9% increase between the end of FY 2013 and the end of FY 2014. While this increase has stabilized, the number of such returns remained high during early FY 2015. This will serve to push the overall population up throughout the remainder of FY 2015. However, the mean incarceration time for technical parole returns has fallen from 7.9 months in FY 2012 to 7.4 months in FY 2013 to 5.9 in FY 2014. Therefore, the impact of these technical parole returns on increasing the prison population will be lessened.

An additional factor influencing parole returns is the passage of House Bill 14-1355, which directs the Department of Corrections to develop and implement a grant program to provide approximately \$1 million in funding to community organizations that provide reentry services to offenders. This initiative is expected to reduce the numbers of parole returns both for technical violations and for new crimes beginning in late FY 2016, which, in turn, simultaneously exerts downward pressure on the overall prison population and upward pressure on the parole caseload.

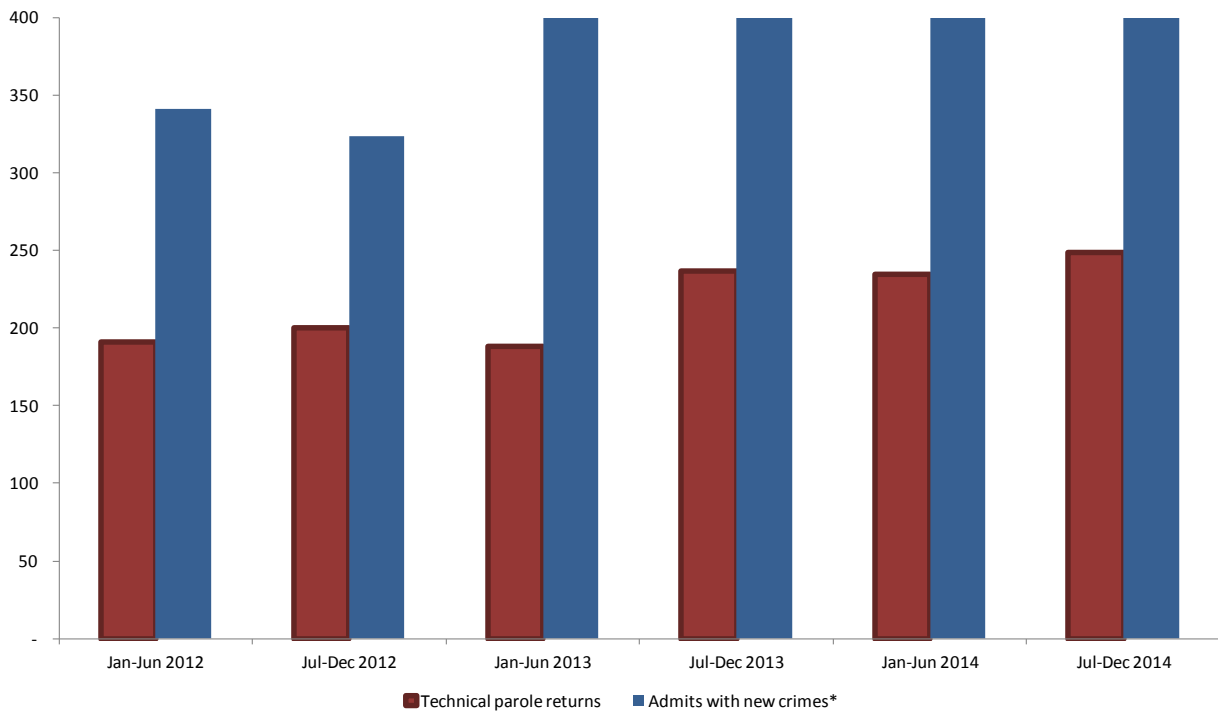
As stated above, overall releases from prison declined over FY 2013 and FY 2014. This decline is expected to continue in FY 2015, though the rate of decline has slowed significantly. Parole releases in particular fell by 2.7% in FY 2013, by another 7.9% in FY 2014, and are expected to decrease by another 5.8% by the end of the current year. This decline has been particularly evident among discretionary parole releases which fell by 15.4% during FY 2014. This decline has accelerated in FY 2015, such that there were 25.8% fewer discretionary releases in the first six months of FY 2015 than occurred during the same time frame of the prior year. While mandatory releases have increased, the end result has been a decline in overall parole releases.

While all of the factors described above affect both the male and the female population forecast, additional considerations influenced the pattern of growth forecast for the female inmate population. After a period of decline between the ends of FY 2007 and FY 2013, growth in the female prison population actually began an upward trend in mid-FY2013, slightly sooner than observed for the total population, and has been much stronger than observed in the overall population. The number of women in prison increased by 6.9% in FY 2014. This growth has continued into FY 2015, with the female population increasing by 2.2% in the first half of the year. Figure 7 displays the past trends in the male and female inmate populations between FY 2000 and FY 2014, and demonstrates the sharp increase in female inmates in FY 2014 compared to the moderate increase for male inmates.

This increase is mainly attributable to admissions with new crimes and sentences. Such admissions increased 24.4% during the last half of FY 2013 compared to the first half of the year, and have remained at the same high level. However, returns for technical parole violations also began to increase shortly thereafter, with a 26.1% increase in the first half of FY 2014 compared to the prior six months. These points of increase can be seen in Figure 8, which displays the number of women admitted to prison in six-month increments by type.

**Figure 7: Male and female inmate populations FY 2000 to FY 2014**

Data source: Colorado Department of Corrections Monthly Population and Capacity Reports.

**Figure 8: Female admissions to prison January 2012 to December 2014 by type**

Data source: Colorado Department of Corrections Monthly Population and Capacity Reports.

\* Includes new court commitments, probation revocations and parole returns with a new sentence.

The reason for this increase in prison sentences for women is unclear. While strong growth continues in the numbers of criminal filings with female defendants, this has slowed in the past year. Filings increased 10.1% in FY 2013, compared to 4.6% in FY 2014. The proportion of all criminal filings on female defendants has increased steadily over past 6 years, to a high of 23.3% in FY 2014, which is the highest observed in at least the past 15 years.

It is the new commitments and returns with a new crime that are the main influence on the forecast for the female prison population, as these admissions are expected to remain in prison for an average 3 years (see Table 13). However, the growth rate observed for these admission types during FY 2013 and FY 2014 has stabilized in early FY 2015. This, in combination with the slowing of the growth in female criminal filings, serves to slow the projected growth of the female inmate population in mid-FY 2016.

Additionally, the passage of H.B. 13-1160 and S.B. 13-250 (described above) are expected to significantly affect commitments to prison and sentence lengths for theft and drug crimes. In FY 2013, women comprised 20.8% of all new prison sentences for theft and 15.0% of all new prison sentences for drug crimes (compared to 10.9% of new sentences for all other crimes), this legislation was expected to slow the growth of the female inmate population more significantly than for the overall population.

Indeed, in FY 2014 the number of women sentenced to prison for drug crimes decreased by 4%, and the number sentenced to prison for theft decreased by 6.5%. These decreases are notable given the increase in the female admissions overall. Men sentenced for drug crimes decreased by only 1.8% during this time frame, but sentences for theft decreased at a much greater rate, 15.7%.

The majority of the growth in new commitments among women was for violent crimes, which increased 50.8%, and non-theft other property crimes, which increased 13.3%. Male admissions, on the other hand, had a 0.3% increase in violent crimes and an 8.4% increase in other property crimes for male.

The growth in women sentenced to prison for violent crimes is noteworthy. The majority of these crimes are comprised of murder, other homicide, sexual assault, child abuse, assault, robbery, menacing and reckless endangerment. An increase in women sentenced to prison for every one of these crimes was observed, with no particular crime type standing out. This trend will bear monitoring in the future.

In addition to the passage of new laws influencing sentences to prison, prisoners in Colorado are subject to many policies and legislation that impact their length of stay in prison, earned time and parole eligibility. These laws significantly affect the size of both the prison population and the parole caseload. A summary of this legislation is provided in Appendix A.



## ADULT PAROLE CASELOAD FORECAST

The two components used when forecasting future parole caseloads are the number of releases to parole, and the length of stay on parole. These may vary according to a number of factors, such as individual offender characteristics, community resources and parole success or failure rates.

Table 5 displays the DCJ projections for the total domestic parole caseload as well as the total caseload, which includes absconders and out-of-state parolees along with the domestic caseload, as of the ends of fiscal years 2014 through 2021.

**Table 5: DCJ December 2014 adult domestic and total parole caseload projections  
FY 2014 through FY 2021**

Fiscal Year End	Domestic Parole Caseload	Annual Growth	Total Parole Caseload <sup>1</sup>	Annual Growth
<b>2014*</b>	8116	-7.20%	10,432	-8.70%
<b>2015</b>	7659	-5.63%	9,819	-5.87%
<b>2016</b>	7428	-3.02%	9,499	-3.26%
<b>2017</b>	7412	-0.22%	9,442	-0.60%
<b>2018</b>	7324	-1.19%	9,306	-1.44%
<b>2019</b>	7406	1.11%	9,374	0.73%
<b>2020</b>	7576	2.30%	9,590	2.30%
<b>2021</b>	7735	2.10%	9,791	2.10%

\* Actual parole caseload figures. Data source: Colorado Department of Corrections Monthly Population and Capacity Reports.

<sup>1</sup> Includes the domestic caseload, out-of-state parolees, and absconders.

Figure 6, below, displays the actual and the projected domestic and total parole caseloads for fiscal years 2011 through 2021. Both the domestic and overall parole caseloads are expected to continue to decrease throughout FY 2015 and for the following three years. The caseload is expected to begin to increase in FY 2019 and continue to do so through FY 2021.

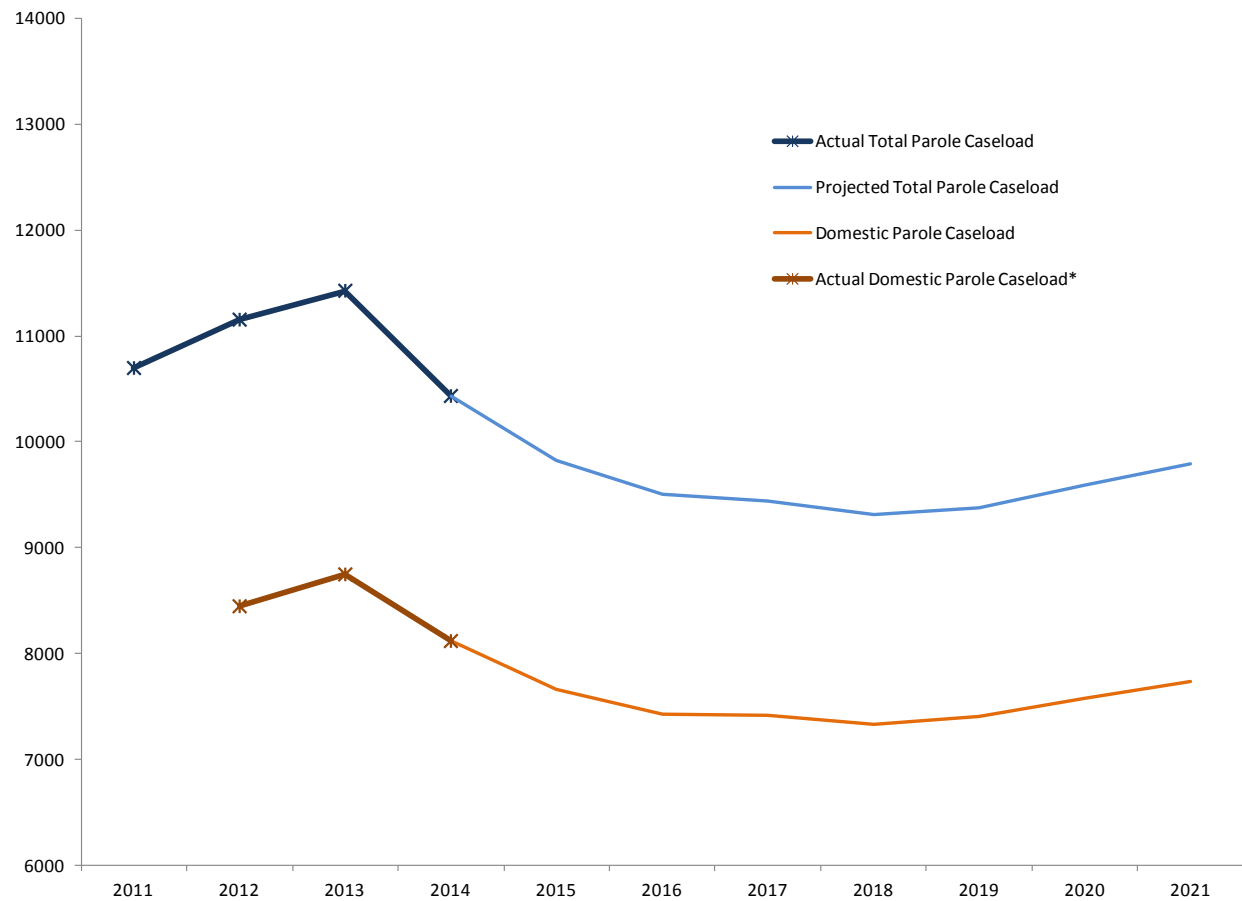
Though a period of growth in the caseload was observed in FY 2013, a consistent trend of decline began in the last quarter of that year and has continued through the present. This decline is due to multiple factors. Overall parole releases fell by 2.7% in FY 2013, and by another 7.9% in FY 2014. Most recently, this decline has been particularly evident among discretionary parole releases which fell by 15.4% during FY 2014. This decline has accelerated in FY 2015, such that there were 25.8% fewer discretionary releases in the first six months of FY 2015 than occurred during the same time frame of the prior year. While mandatory releases have increased, the end result has been a decline in overall parole releases which serves to drive the overall parole caseload down.

Additionally, the proportion of parole terminations due to revocation increased by 12.6% during FY 2014, while successful parole completions fell by 8.3%. Since those revoked spend an average of 9 to 10 months

on parole, compared to 18 to 19 months for those who complete parole, this trend will drive down the overall length of stay on parole, which will reduce the overall parole caseload in the short term.

However, beginning in mid-FY 2015, an increase in parole discharges is expected, due to the shorter sentence lengths of most drug offenders due to S.B. 13-250 as well as certain theft offenders affected by the sentence modifications introduced by H.B. 13-1160. These individuals will have not only shorter sentences, but also shorter periods of parole. This will exert downward pressure on the caseload in subsequent years. However, the simultaneous escalation of the prison population will eventually drive the parole caseload up.

An additional factor contributing to the slowing rate of decline and eventual increase projected for the parole population is the implementation of H.B. 14-1355, which directs the Department of Corrections to develop and implement a grant program to provide approximately \$1 million in funding to community organizations that provide reentry services to offenders. This bill also provides additional personnel, equipment and training designed to assist in the supervision of offenders in the community. These initiatives are expected to reduce the numbers of parole returns, for both technical violations and new crimes, beginning in late FY 2016. This in turn will result in more successful discharges from parole, increasing the overall length of stay on parole. Both of these outcomes will exert upward pressure on the parole caseload.

**Figure 6: Historical and projected end of fiscal year total parole caseloads FY 2011 through FY 2021**

Data Source: Historical data obtained from the Colorado Department of Corrections Monthly Population and Capacity Reports.

\*Due to modifications in the method of reporting monthly caseloads implemented in 2012, domestic parole caseload data are not available for FY 2011.



# Average Length Of Stay Estimates For FY 2014 Prison Admissions

Tables 6 through 13, below, display the estimated average length of stay by crime category and felony class for admissions to prison during FY 2014. Parole returns due to technical parole violations are excluded. This information is presented by admission type and gender, and for combined populations. Totals by admission type, gender and overall are presented in Table 12. The average time that these new admissions are expected to actually serve in prison is estimated using data provided by DOC regarding conviction crimes, sentence length and time served for inmates released during the same year.

Note that 26 admissions are excluded from the counts given in the following tables due to inadequate sentencing data. Also excluded are an additional 87 drug offenders who were sentenced based on new drug legislation, which introduced a new series of drug felony levels. This legislation took effect on October 1, 2013, and only these few offenders had been sentenced to prison by the end of FY 2014. Inadequate data are available on which to base an estimated length of stay.

The methodology applied to derive these estimates was modified in FY 2012. Prior to that time, these estimates were based on maximum governing sentences, whereas the estimates presented below take into account minimum governing sentences in cases where the minimum and maximum differ. This particularly (but not exclusively) affects admissions sentenced under the Colorado Sex Offender Lifetime Supervision Act of 1998. Therefore, the estimates presented here cannot be compared to those provided for prison admissions prior to FY 2012.

The estimation of the length of stay in prison for those convicted under the Lifetime Supervision Act is complicated by a number of factors. These offenders receive indeterminate prison sentences, such that minimum sentence lengths for offenders sentenced to prison under this law have ranged between one year and life, and maximum sentence lengths have ranged between 18 months and life.

Even though the first admission to prison under the Lifetime Supervision Act occurred in the fall of 1999, few of these offenders have been released from prison. Between July 2000 and June 2011, 218 had been discharged, compared to 1468 admissions. These releases were most often due to death or an amended prison sentence.

The number of releases has accelerated, such that 363 inmates have been released between FY 2012 and FY 2014, compared to 436 admissions. The majority (84.6%) were released on discretionary parole. However, these releases have a minimum governing sentence less than half that of those admitted during the same time frame (74 months compared to 218 months). Only 3.6% of those released had a governing minimum sentence exceeding 20 years, in contrast to 21.6% of the admissions.

This situation is further complicated by the requirement that offenders sentenced under the Colorado Lifetime Supervision Act must serve the term of their minimum sentence in prison AND both participate and progress in treatment in order to be considered a candidate for parole. Therefore, an individual's

eligibility for parole release is subject to the availability of treatment services in prison, access to and participation in that treatment.

Note any changes in the decision-making process of criminal justice professionals will impact the accuracy of these estimates. For the purposes of these calculations, all sentences are capped at forty years. Admissions with incomplete crime class, status, or sentencing data are excluded from this analysis.

**Table 6: Estimated average lengths of stay for FY 2014 male new commitments**

Offense Category	Average Length of Stay (Months) <sup>1</sup>	Number of Commitments <sup>2</sup>	Percent of all Commitments	Average Length of Stay Effect (Months)
F1	480.00	29	0.48%	2.28
F2 EXT <sup>3</sup>	233.53	70	1.15%	2.68
F2 SEX <sup>4</sup>	-	-	-	-
F2 DRUG <sup>5</sup>	-	-	-	-
F2 OTHER <sup>6</sup>	98.70	25	0.41%	0.40
TOTAL FELONY 2 <sup>7</sup>	223.48	107	1.75%	3.92
F3 EXT	86.97	439	7.20%	6.26
F3 SEX	101.03	38	0.62%	0.63
F3 DRUG	59.67	16	0.26%	0.16
F3 OTHER	69.28	159	2.61%	1.81
TOTAL FELONY 3 <sup>8</sup>	107.40	730	11.97%	12.86
F4 EXT	50.66	563	9.23%	4.68
F4 SEX	40.20	29	0.48%	0.19
F4 DRUG	30.23	161	2.64%	0.80
F4 OTHER	40.04	756	12.40%	4.96
TOTAL FELONY 4 <sup>9</sup>	47.73	1556	25.52%	12.18
F5 EXT	28.50	177	2.90%	0.83
F5 SEX	33.68	146	2.39%	0.81
F5 DRUG	20.02	49	0.80%	0.16
F5 OTHER	24.15	915	15.01%	3.62
TOTAL FELONY 5 <sup>10</sup>	25.95	1309	21.47%	5.57
F6 EXT	16.27	68	1.12%	0.18
F6 SEX	11.57	65	1.07%	0.12
F6 DRUG	10.78	184	3.02%	0.33
F6 OTHER	11.77	437	7.17%	0.84
TOTAL FELONY 6 <sup>11</sup>	11.96	755	12.38%	1.48
HABITUAL <sup>12</sup>	204.46	35	0.57%	1.17
SEX OFF ACT <sup>13</sup>	262.23	125	2.05%	5.38
TOTAL	52.05	4486	73.58%	38.30

<sup>1</sup> For the purposes of calculating these estimates, length of stay is capped at 40 years.

<sup>2</sup> The number of new sentences indicated may differ from those reported elsewhere, as cases missing critical data elements such as offense, felony class, or sentence length are excluded.

<sup>3</sup> The "EXT" category refers to violent offenses defined by statute as "extraordinary risk of harm offenses."

<sup>4</sup> Convicted sexual offenders typically serve more time, though some sexual crimes are considered extraordinary risk crimes. Therefore, this group is identified separately.

<sup>5</sup> Drug crimes identified under statutes 18-18-405 and 18-18-412.7, with the exception of simple possession, are considered extraordinary risk crimes. These crimes are included in the 'EXT' categories and are excluded from the drug categories.

<sup>6</sup> "Other" includes all crimes except sex, drug, and extraordinary risk crimes. Examples include theft, burglary, motor vehicle theft, forgery, and fraud.

<sup>7</sup> Includes admissions convicted of felony 2 sex, drug, extraordinary risk, and other crimes. Felony 2 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>8</sup> Includes admissions convicted of felony 3 sex, drug, extraordinary risk, and other crimes. Felony 3 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>9</sup> Includes admissions convicted of felony 4 sex, drug, extraordinary risk, and other crimes. Felony 4 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>10</sup> Includes admissions convicted of felony 5 sex, drug, extraordinary risk, and other crimes. Felony 5 habitual offenders are included.

<sup>11</sup> Includes admissions convicted of felony 6 sex, drug, extraordinary risk, and other crimes. Felony 6 habitual offenders are included.

<sup>12</sup> Includes all admissions with habitual criminal sentence enhancers.

<sup>13</sup> Includes admissions sentenced under the Colorado Sex Offender Lifetime Supervision Act of 1998.

**Table 7: Estimated average lengths of stay for FY 2014 female new commitments**

Offense Category	Average Length of Stay (Months) <sup>1</sup>	Number of Commitments <sup>2</sup>	Percent of all Commitments	Average Length of Stay Effect (Months)
F1	480.00	4	0.07%	0.31
F2 EXT <sup>3</sup>	237.24	10	0.16%	0.39
F2 SEX <sup>4</sup>	-	-	-	-
F2 DRUG <sup>5</sup>	-	-	-	-
F2 OTHER <sup>6</sup>	106.86	8	0.13%	0.14
TOTAL FELONY 2 <sup>7</sup>	185.52	19	0.31%	0.58
F3 EXT	59.08	74	1.21%	0.72
F3 SEX	84.79	3	0.05%	0.04
F3 DRUG	47.80	19	0.31%	0.15
F3 OTHER	-	-	-	-
TOTAL FELONY 3 <sup>8</sup>	60.27	97	1.59%	0.96
F4 EXT	39.20	89	1.46%	0.57
F4 SEX	36.00	1	0.02%	0.01
F4 DRUG	28.80	28	0.46%	0.13
F4 OTHER	33.94	201	3.30%	1.12
TOTAL FELONY 4 <sup>9</sup>	34.97	319	5.23%	1.83
F5 EXT	20.05	40	0.66%	0.13
F5 SEX	31.59	4	0.07%	0.02
F5 DRUG	27.14	8	0.13%	0.04
F5 OTHER	22.75	137	2.25%	0.51
TOTAL FELONY 5 <sup>10</sup>	22.55	189	3.10%	0.70
F6 EXT	12.07	6	0.10%	0.01
F6 SEX	11.70	1	0.02%	0.00
F6 DRUG	10.76	47	0.77%	0.08
F6 OTHER	12.15	56	0.92%	0.11
TOTAL FELONY 6 <sup>11</sup>	11.55	110	1.80%	0.21
HABITUAL <sup>12</sup>	297.60	1	0.02%	0.05
SEX OFF ACT <sup>13</sup>	311.60	1	0.02%	0.05
TOTAL	37.91	738	12.10%	4.59

<sup>1</sup> For the purposes of calculating these estimates, length of stay is capped at 40 years.

<sup>2</sup> The number of new sentences indicated may differ from those reported elsewhere, as cases missing critical data elements such as offense, felony class, or sentence length are excluded.

<sup>3</sup> The "EXT" category refers to violent offenses defined by statute as "extraordinary risk of harm offenses."

<sup>4</sup> Convicted sexual offenders typically serve more time, though some sexual crimes are considered extraordinary risk crimes. Therefore, this group is identified separately.

<sup>5</sup> Drug crimes identified under statutes 18-18-405 and 18-18-412.7, with the exception of simple possession, are considered extraordinary risk crimes. These crimes are included in the 'EXT' categories and are excluded from the drug categories.

<sup>6</sup> "Other" includes all crimes except sex, drug, and extraordinary risk crimes. Examples include theft, burglary, motor vehicle theft, forgery, and fraud.

<sup>7</sup> Includes admissions convicted of felony 2 sex, drug, extraordinary risk, and other crimes. Felony 2 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>8</sup> Includes admissions convicted of felony 3 sex, drug, extraordinary risk, and other crimes. Felony 3 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>9</sup> Includes admissions convicted of felony 4 sex, drug, extraordinary risk, and other crimes. Felony 4 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>10</sup> Includes admissions convicted of felony 5 sex, drug, extraordinary risk, and other crimes. Felony 5 habitual offenders are included.

<sup>11</sup> Includes admissions convicted of felony 6 sex, drug, extraordinary risk, and other crimes. Felony 6 habitual offenders are included.

<sup>12</sup> Includes all admissions with habitual criminal sentence enhancers.

<sup>13</sup> Includes admissions sentenced under the Colorado Sex Offender Lifetime Supervision Act of 1998.



**Table 8: Estimated average lengths of stay for FY 2014 total new commitments**

Offense Category	Average Length of Stay (Months) <sup>1</sup>	Number of Commitments <sup>2</sup>	Percent of all Commitments	Average Length of Stay Effect (Months)
F1	480.00	33	0.54%	2.60
F2 EXT <sup>3</sup>	233.99	80	1.31%	3.07
F2 SEX <sup>4</sup>	-	-	-	-
F2 DRUG <sup>5</sup>	-	-	-	-
F2 OTHER <sup>6</sup>	100.68	33	0.54%	0.54
TOTAL FELONY 2 <sup>7</sup>	217.76	126	2.07%	4.50
F3 EXT	82.95	513	8.41%	6.98
F3 SEX	99.84	41	0.67%	0.67
F3 DRUG	59.67	16	0.26%	0.16
F3 OTHER	66.99	178	2.92%	1.96
TOTAL FELONY 3 <sup>8</sup>	101.87	827	13.56%	13.82
F4 EXT	49.10	652	10.69%	5.25
F4 SEX	40.06	30	0.49%	0.20
F4 DRUG	30.02	189	3.10%	0.93
F4 OTHER	38.76	957	15.70%	6.08
TOTAL FELONY 4 <sup>9</sup>	45.56	1875	30.75%	14.01
F5 EXT	26.94	217	3.56%	0.96
F5 SEX	33.62	150	2.46%	0.83
F5 DRUG	21.02	57	0.93%	0.20
F5 OTHER	23.97	1052	17.25%	4.14
TOTAL FELONY 5 <sup>10</sup>	25.52	1498	24.57%	6.27
F6 EXT	15.93	74	1.21%	0.19
F6 SEX	11.57	66	1.08%	0.13
F6 DRUG	10.78	231	3.79%	0.41
F6 OTHER	11.81	493	8.09%	0.96
TOTAL FELONY 6 <sup>11</sup>	11.91	865	14.19%	1.69
HABITUAL <sup>12</sup>	207.05	36	0.59%	1.22
SEX OFF ACT <sup>13</sup>	262.62	126	2.07%	5.43
TOTAL	50.05	5224	85.68%	42.89

<sup>1</sup> For the purposes of calculating these estimates, length of stay is capped at 40 years.

<sup>2</sup> The number of new sentences indicated may differ from those reported elsewhere, as cases missing critical data elements such as offense, felony class, or sentence length are excluded.

<sup>3</sup> The "EXT" category refers to violent offenses defined by statute as "extraordinary risk of harm offenses."

<sup>4</sup> Convicted sexual offenders typically serve more time, though some sexual crimes are considered extraordinary risk crimes. Therefore, this group is identified separately.

<sup>5</sup> Drug crimes identified under statutes 18-18-405 and 18-18-412.7, with the exception of simple possession, are considered extraordinary risk crimes. These crimes are included in the 'EXT' categories and are excluded from the drug categories.

<sup>6</sup> "Other" includes all crimes except sex, drug, and extraordinary risk crimes. Examples include theft, burglary, motor vehicle theft, forgery, and fraud.

<sup>7</sup> Includes admissions convicted of felony 2 sex, drug, extraordinary risk, and other crimes. Felony 2 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>8</sup> Includes admissions convicted of felony 3 sex, drug, extraordinary risk, and other crimes. Felony 3 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>9</sup> Includes admissions convicted of felony 4 sex, drug, extraordinary risk, and other crimes. Felony 4 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>10</sup> Includes admissions convicted of felony 5 sex, drug, extraordinary risk, and other crimes. Felony 5 habitual offenders are included.

<sup>11</sup> Includes admissions convicted of felony 6 sex, drug, extraordinary risk, and other crimes. Felony 6 habitual offenders are included.

<sup>12</sup> Includes all admissions with habitual criminal sentence enhancers.

<sup>13</sup> Includes admissions sentenced under the Colorado Sex Offender Lifetime Supervision Act of 1998.

**Table 9: Estimated average lengths of stay for FY 2014 male parole returns with a new crime**

Offense Category	Average Length of Stay (Months) <sup>1</sup>	Number of Commitments <sup>2</sup>	Percent of all Commitments	Average Length of Stay Effect (Months)
F1	480.00	1	0.02%	0.08
F2 EXT <sup>3</sup>	138.47	7	0.11%	0.16
F2 SEX <sup>4</sup>	-	-	-	-
F2 DRUG <sup>5</sup>	70.51	3	0.05%	0.03
F2 OTHER <sup>6</sup>	47.74	6	0.10%	0.05
TOTAL FELONY 2 <sup>7</sup>	91.70	16	0.26%	0.24
F3 EXT	79.08	102	1.67%	1.32
F3 SEX	102.97	4	0.07%	0.07
F3 DRUG	39.02	7	0.11%	0.04
F3 OTHER	60.28	44	0.72%	0.43
TOTAL FELONY 3 <sup>8</sup>	77.05	162	2.66%	2.05
F4 EXT	40.67	132	2.16%	0.88
F4 SEX	37.83	2	0.03%	0.01
F4 DRUG	28.75	60	0.98%	0.28
F4 OTHER	33.94	191	3.13%	1.06
TOTAL FELONY 4 <sup>9</sup>	36.57	392	6.43%	2.35
F5 EXT	29.42	57	0.93%	0.28
F5 SEX	26.12	19	0.31%	0.08
F5 DRUG	35.30	5	0.08%	0.03
F5 OTHER	23.70	102	1.67%	0.40
TOTAL FELONY 5 <sup>10</sup>	26.30	188	3.08%	0.81
F6 EXT	24.40	2	0.03%	0.01
F6 SEX	14.82	3	0.05%	0.01
F6 DRUG	19.84	6	0.10%	0.02
F6 OTHER	13.67	14	0.23%	0.03
TOTAL FELONY 6 <sup>11</sup>	16.15	25	0.41%	0.07
HABITUAL <sup>12</sup>	139.69	11	0.18%	0.25
SEX OFF ACT <sup>13</sup>	67.48	6	0.10%	0.07
TOTAL	43.51	784	12.86%	5.60

<sup>1</sup> For the purposes of calculating these estimates, length of stay is capped at 40 years.

<sup>2</sup> The number of new sentences indicated may differ from those reported elsewhere, as cases missing critical data elements such as offense, felony class, or sentence length are excluded.

<sup>3</sup> The "EXT" category refers to violent offenses defined by statute as "extraordinary risk of harm offenses."

<sup>4</sup> Convicted sexual offenders typically serve more time, though some sexual crimes are considered extraordinary risk crimes. Therefore, this group is identified separately.

<sup>5</sup> Drug crimes identified under statutes 18-18-405 and 18-18-412.7, with the exception of simple possession, are considered extraordinary risk crimes. These crimes are included in the 'EXT' categories and are excluded from the drug categories.

<sup>6</sup> "Other" includes all crimes except sex, drug, and extraordinary risk crimes. Examples include theft, burglary, motor vehicle theft, forgery, and fraud.

<sup>7</sup> Includes admissions convicted of felony 2 sex, drug, extraordinary risk, and other crimes. Felony 2 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>8</sup> Includes admissions convicted of felony 3 sex, drug, extraordinary risk, and other crimes. Felony 3 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>9</sup> Includes admissions convicted of felony 4 sex, drug, extraordinary risk, and other crimes. Felony 4 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>10</sup> Includes admissions convicted of felony 5 sex, drug, extraordinary risk, and other crimes. Felony 5 habitual offenders are included.

<sup>11</sup> Includes admissions convicted of felony 6 sex, drug, extraordinary risk, and other crimes. Felony 6 habitual offenders are included.

<sup>12</sup> Includes all admissions with habitual criminal sentence enhancers.

<sup>13</sup> Includes admissions sentenced under the Colorado Sex Offender Lifetime Supervision Act of 1998.

**Table 10: Estimated average lengths of stay for FY 2014 female parole returns with a new crime**

Offense Category	Average Length of Stay (Months) <sup>1</sup>	Number of Commitments <sup>2</sup>	Percent of all Commitments	Average Length of Stay Effect (Months)
F1	-	-	-	-
F2 EXT <sup>3</sup>	25.47	1	0.02%	0.00
F2 SEX <sup>4</sup>	-	-	-	-
F2 DRUG <sup>5</sup>	-	-	-	-
F2 OTHER <sup>6</sup>	18.60	1	0.02%	0.00
TOTAL FELONY 2 <sup>7</sup>	22.03	2	0.03%	0.01
F3 EXT	57.53	7	0.11%	0.07
F3 SEX	-	-	-	-
F3 DRUG	34.77	2	0.03%	0.01
F3 OTHER	31.17	6	0.10%	0.03
TOTAL FELONY 3 <sup>8</sup>	43.95	15	0.25%	0.11
F4 EXT	29.21	17	0.28%	0.08
F4 SEX	-	-	-	-
F4 DRUG	19.70	2	0.03%	0.01
F4 OTHER	36.33	20	0.33%	0.12
TOTAL FELONY 4 <sup>9</sup>	32.37	39	0.64%	0.21
F5 EXT	17.40	9	0.15%	0.03
F5 SEX	-	-	-	-
F5 DRUG	29.45	4	0.07%	0.02
F5 OTHER	18.97	14	0.23%	0.04
TOTAL FELONY 5 <sup>10</sup>	20.46	28	0.46%	0.09
F6 EXT	-	-	-	-
F6 SEX	-	-	-	-
F6 DRUG	25.63	1	0.02%	0.00
F6 OTHER	10.75	4	0.07%	0.01
TOTAL FELONY 6 <sup>11</sup>	13.73	5	0.08%	0.01
HABITUAL <sup>12</sup>	32.90	1	0.02%	0.01
SEX OFF ACT <sup>13</sup>	-	-	-	-
TOTAL	29.30	89	1.46%	0.43

<sup>1</sup> For the purposes of calculating these estimates, length of stay is capped at 40 years.

<sup>2</sup> The number of new sentences indicated may differ from those reported elsewhere, as cases missing critical data elements such as offense, felony class, or sentence length are excluded.

<sup>3</sup> The "EXT" category refers to violent offenses defined by statute as "extraordinary risk of harm offenses."

<sup>4</sup> Convicted sexual offenders typically serve more time, though some sexual crimes are considered extraordinary risk crimes. Therefore, this group is identified separately.

<sup>5</sup> Drug crimes identified under statutes 18-18-405 and 18-18-412.7, with the exception of simple possession, are considered extraordinary risk crimes. These crimes are included in the 'EXT' categories and are excluded from the drug categories.

<sup>6</sup> "Other" includes all crimes except sex, drug, and extraordinary risk crimes. Examples include theft, burglary, motor vehicle theft, forgery, and fraud.

<sup>7</sup> Includes admissions convicted of felony 2 sex, drug, extraordinary risk, and other crimes. Felony 2 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>8</sup> Includes admissions convicted of felony 3 sex, drug, extraordinary risk, and other crimes. Felony 3 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>9</sup> Includes admissions convicted of felony 4 sex, drug, extraordinary risk, and other crimes. Felony 4 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>10</sup> Includes admissions convicted of felony 5 sex, drug, extraordinary risk, and other crimes. Felony 5 habitual offenders are included.

<sup>11</sup> Includes admissions convicted of felony 6 sex, drug, extraordinary risk, and other crimes. Felony 6 habitual offenders are included.

<sup>12</sup> Includes all admissions with habitual criminal sentence enhancers.

<sup>13</sup> Includes admissions sentenced under the Colorado Sex Offender Lifetime Supervision Act of 1998.

**Table 11: Estimated average lengths of stay for FY 2014 total parole returns with a new crime**

Offense Category	Average Length of Stay (Months) <sup>1</sup>	Number of Commitments <sup>2</sup>	Percent of all Commitments	Average Length of Stay Effect (Months)
F1	480.00	1	0.02%	0.08
F2 EXT <sup>3</sup>	124.34	8	0.13%	0.16
F2 SEX <sup>4</sup>	-	-	-	-
F2 DRUG <sup>5</sup>	70.51	3	0.05%	0.03
F2 OTHER <sup>6</sup>	43.58	7	0.11%	0.05
TOTAL FELONY 2 <sup>7</sup>	83.96	18	0.30%	0.25
F3 EXT	77.70	109	1.79%	1.39
F3 SEX	102.97	4	0.07%	0.07
F3 DRUG	38.07	9	0.15%	0.06
F3 OTHER	56.78	50	0.82%	0.47
TOTAL FELONY 3 <sup>8</sup>	74.25	177	2.90%	2.16
F4 EXT	39.37	149	2.44%	0.96
F4 SEX	37.83	2	0.03%	0.01
F4 DRUG	28.46	62	1.02%	0.29
F4 OTHER	34.16	211	3.46%	1.18
TOTAL FELONY 4 <sup>9</sup>	36.19	431	7.07%	2.56
F5 EXT	27.78	66	1.08%	0.30
F5 SEX	26.12	19	0.31%	0.08
F5 DRUG	32.70	9	0.15%	0.05
F5 OTHER	23.13	116	1.90%	0.44
TOTAL FELONY 5 <sup>10</sup>	25.55	216	3.54%	0.91
F6 EXT	24.40	2	0.03%	0.01
F6 SEX	14.82	3	0.05%	0.01
F6 DRUG	20.67	7	0.11%	0.02
F6 OTHER	13.02	18	0.30%	0.04
TOTAL FELONY 6 <sup>11</sup>	15.74	30	0.49%	0.08
HABITUAL <sup>12</sup>	130.79	12	0.20%	0.26
SEX OFF ACT <sup>13</sup>	67.48	6	0.10%	0.07
TOTAL	42.06	873	14.32%	6.02

<sup>1</sup> For the purposes of calculating these estimates, length of stay is capped at 40 years.

<sup>2</sup> The number of new sentences indicated may differ from those reported elsewhere, as cases missing critical data elements such as offense, felony class, or sentence length are excluded.

<sup>3</sup> The "EXT" category refers to violent offenses defined by statute as "extraordinary risk of harm offenses."

<sup>4</sup> Though some sexual crimes are considered extraordinary risk crimes, this group is identified separately.

<sup>5</sup> Drug crimes identified under statutes 18-18-405 and 18-18-412.7, with the exception of simple possession, are considered extraordinary risk crimes. These crimes are included in the 'EXT' categories and are excluded from the drug categories.

<sup>6</sup> "Other" includes all crimes except sex, drug, and extraordinary risk crimes. Examples include theft, burglary, motor vehicle theft, forgery, and fraud.

<sup>7</sup> Includes admissions convicted of felony 2 sex, drug, extraordinary risk, and other crimes. Felony 2 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>8</sup> Includes admissions convicted of felony 3 sex, drug, extraordinary risk, and other crimes. Felony 3 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>9</sup> Includes admissions convicted of felony 4 sex, drug, extraordinary risk, and other crimes. Felony 4 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>10</sup> Includes admissions convicted of felony 5 sex, drug, extraordinary risk, and other crimes. Felony 5 habitual offenders are included.

<sup>11</sup> Includes admissions convicted of felony 6 sex, drug, extraordinary risk, and other crimes. Felony 6 habitual offenders are included.

<sup>12</sup> Includes all admissions with habitual criminal sentence enhancers.

<sup>13</sup> Includes admissions sentenced under the Colorado Sex Offender Lifetime Supervision Act of 1998.

**Table 12: Estimated average lengths of stay for FY 2014 combined new court commitments and parole returns with a new crime**

Offense Category	Average Length of Stay (Months) <sup>1</sup>	Number of Commitments <sup>2</sup>	Percent of all Commitments	Average Length of Stay Effect (Months)
F1	480.00	34	0.56%	2.68
F2 EXT <sup>3</sup>	224.02	88	1.44%	3.23
F2 SEX <sup>4</sup>	-	-	-	-
F2 DRUG <sup>5</sup>	70.51	3	0.05%	0.03
F2 OTHER <sup>6</sup>	90.69	40	0.66%	0.59
TOTAL FELONY 2 <sup>7</sup>	201.03	144	2.36%	4.75
F3 EXT	82.03	622	10.20%	8.37
F3 SEX	100.12	45	0.74%	0.74
F3 DRUG	51.89	25	0.41%	0.21
F3 OTHER	64.75	228	3.74%	2.42
TOTAL FELONY 3 <sup>8</sup>	97.00	1004	16.47%	15.97
F4 EXT	47.29	801	13.14%	6.21
F4 SEX	39.92	32	0.52%	0.21
F4 DRUG	29.64	251	4.12%	1.22
F4 OTHER	37.93	1168	19.16%	7.27
TOTAL FELONY 4 <sup>9</sup>	43.81	2306	37.82%	16.57
F5 EXT	27.14	283	4.64%	1.26
F5 SEX	32.78	169	2.77%	0.91
F5 DRUG	22.61	66	1.08%	0.24
F5 OTHER	23.88	1168	19.16%	4.58
TOTAL FELONY 5 <sup>10</sup>	25.52	1714	28.11%	7.18
F6 EXT	16.15	76	1.25%	0.20
F6 SEX	11.72	69	1.13%	0.13
F6 DRUG	11.07	238	3.90%	0.43
F6 OTHER	11.86	511	8.38%	0.99
TOTAL FELONY 6 <sup>11</sup>	12.04	895	14.68%	1.77
HABITUAL <sup>12</sup>	187.98	48	0.79%	1.48
SEX OFF ACT <sup>13</sup>	253.75	132	2.16%	5.49
TOTAL	48.91	6097	100.0%	48.91

<sup>1</sup> For the purposes of calculating these estimates, length of stay is capped at 40 years.

<sup>2</sup> The number of new sentences indicated may differ from those reported elsewhere, as cases missing critical data elements such as offense, felony class, or sentence length are excluded.

<sup>3</sup> The "EXT" category refers to violent offenses defined by statute as "extraordinary risk of harm offenses."

<sup>4</sup> Though some sexual crimes are considered extraordinary risk crimes, this group is identified separately.

<sup>5</sup> Drug crimes identified under statutes 18-18-405 and 18-18-412.7, with the exception of simple possession, are considered extraordinary risk crimes. These crimes are included in the 'EXT' categories and are excluded from the drug categories.

<sup>6</sup> "Other" includes all crimes except sex, drug, and extraordinary risk crimes. Examples include theft, burglary, motor vehicle theft, forgery, and fraud.

<sup>7</sup> Includes admissions convicted of felony 2 sex, drug, extraordinary risk, and other crimes. Felony 2 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>8</sup> Includes admissions convicted of felony 3 sex, drug, extraordinary risk, and other crimes. Felony 3 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>9</sup> Includes admissions convicted of felony 4 sex, drug, extraordinary risk, and other crimes. Felony 4 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>10</sup> Includes admissions convicted of felony 5 sex, drug, extraordinary risk, and other crimes. Felony 5 habitual offenders are included.

<sup>11</sup> Includes admissions convicted of felony 6 sex, drug, extraordinary risk, and other crimes. Felony 6 habitual offenders are included.

<sup>12</sup> Includes all admissions with habitual criminal sentence enhancers.

<sup>13</sup> Includes admissions sentenced under the Colorado Sex Offender Lifetime Supervision Act of 1998.

**Table 13: Estimated average lengths of stay for FY 2014 prison admissions, category totals\***

	<b>Average Length of Stay (Months)<sup>1</sup></b>	<b>Number of Commitments<sup>2</sup></b>	<b>Percent of all Commitments</b>	<b>Average Length of Stay Effect (Months)</b>
Total New Commitments	50.05	5224	85.68%	42.89
Total Parole Returns	42.06	873	14.32%	6.02
Total Male Admissions	50.78	5270	86.44%	43.89
Total Female Admissions	36.98	827	13.56%	5.02
Grand Total	48.91	6097	100.0%	48.91

\*Parole returns on a technical violation are excluded.

<sup>1</sup> For the purposes of calculating these estimates, length of stay is capped at 40 years.

<sup>2</sup> The number of new sentences indicated may differ from those reported elsewhere, as cases missing critical data elements such as offense, felony class, or sentence length are excluded.

# Division of Youth Corrections Juvenile Commitment, Detention and Parole Projections

## Organization of this Section

The juvenile commitment, detention and parole estimates of the average daily populations over the upcoming five years are presented in this section. The juvenile commitment population estimates include year-end and quarterly average daily population (ADP) forecasts for the committed population statewide, along with the projected annual numbers of new juvenile commitments statewide. These are followed by statewide year-end and quarterly detention ADP forecasts and year-end average daily caseload (ADC) forecasts for the juvenile parole population statewide.

The inclusion of detention population forecasts is a new addition, introduced in December 2012. Detention forecasts were suspended with the enactment of legislation in 2003 which established a limit on the number of detention beds. However, with the recent declines in all juvenile corrections populations, including detention, it was requested by the Colorado Joint Budget Committee they be reintroduced.

## Juvenile Commitment, Detention and Parole Forecasting Methodology

The projection process utilizes data regarding historical monthly trends in detention, commitment and parole populations. Time series analysis was applied to data derived from these historical trends, producing a variety of scenarios.<sup>6</sup> The model displaying both the best fit to the actual data and the most reasonable outcomes given recent changes in laws and policies, trends in juvenile delinquency filings and probation revocations, and population forecasts prepared by the Colorado Demographer's office provides the basis for the forecasts presented in the following tables.

### IN BRIEF:

***The Division of Youth Corrections commitment average daily population (ADP) is projected to decrease 6.3%, reaching 746.0 by the end of FY 2015. By the end of FY 2019, the ADP is expected to fall to 599.7, a 24.8% decline. New commitments are also expected to continue declining, falling by 16.0% by the end of FY 2015. This decline in admissions is expected to continue though FY 2019, though at a slower rate.***

***The juvenile parole average daily caseload (ADC) is expected to decrease by 13.8% over the course of FY 2015 and by 26.5% between FY 2014 and FY 2019. The estimated ADC at the end of FY 2019 is 209.6.***

***While the juvenile detention ADP is expected to remain relatively stable across FY 2015, an overall decrease of 16.2% is expected by the end of the forecast period, resulting in an ADP of 243.6 by the end of FY 2019.***

<sup>6</sup> Box, G. E. P., G. M. Jenkins, and G. C. Reinsel (1994). *Time series analysis: Forecasting and control*, 3rd ed. Englewood Cliffs, N.J.: Prentice Hall.

## FACTORS AFFECTING THE JUVENILE POPULATION PROJECTIONS

The following bullets outline factors influencing this year's forecasts of the size of the juvenile commitment and detention populations, new admissions to DYC and the parole caseload in the upcoming five years:

- ❑ The population of youth committed to the Colorado Division of Youth Corrections (DYC) has consistently declined over the past eight fiscal years. The year-to-date ADP dropped by an average of 4.6% per year between FY 2007 and FY 2010. This decline accelerated to an average of 9.1% over the following four years. Overall, the ADP has fallen by 45.1% since the end of FY 2006.<sup>7</sup>
- ❑ Both the detained and the committed populations have continued to exhibit a pattern of decline during the first five months of FY 2015.<sup>8</sup>
- ❑ The number of juvenile delinquency court filings has fallen each year over the past decade. In FY 2012 alone, delinquency filings decreased by 11.2%. Such filings continued to decrease across the next two years, though the rate of decline slowed to 8.9% in FY 2013 and 5.5% in FY 2014.<sup>9</sup> While this reduction in delinquency filings influences the projected downward trend in the commitment population, the moderation of the decline in filings also moderates the projected rate of decline.
- ❑ Juvenile probation revocations have fallen each year since FY 2010. The number of revocations fell by 9.7% over FY 2014 alone.<sup>10</sup> Since many new commitments are the result of a probation revocation, this exerts a significant downward influence on the forecast.
- ❑ New commitments to DYC began to drop in FY 2006. The most significant declines occurred in fiscal years 2011 and 2012, by 13.2% and 17.2% during each of those two years. This rate of decline slowed to 8.3% in FY 2013, and further to 3.3% in FY 2014. However, this rate has accelerated in early FY 2015. The number of admissions in the first four months of FY 2015 was 24.4% lower than observed during the same time frame last year.<sup>11</sup>

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<sup>7</sup> Colorado Department of Human Services (2007-2014). *Management Reference Manuals*. Denver, CO: Colorado Department of Human Services, Office of Children, Youth and Family Services, Division of Youth Corrections.; *Monthly Population Reports*. Denver, CO: Colorado Department of Human Services, Office of Children, Youth and Family Services, Division of Youth Corrections. Available at: <http://www.colorado.gov/cs/Satellite/CDHS-ChildYouthFam/CBON/1251581932067>.

<sup>8</sup> Ibid.

<sup>9</sup> Colorado State Judicial Branch (2007-2014). *Colorado Judicial Branch Annual Reports*. Denver, CO: Colorado Judicial Branch, Division of Probation Services.

<sup>10</sup> Ibid.

<sup>11</sup> Colorado Department of Human Services (2006-2014). *Management Reference Manuals*. Denver, CO: Colorado Department of Human Services, Office of Children, Youth and Family Services, Division of Youth Corrections.; *Monthly Population Reports*. Denver, CO: Colorado Department of Human Services, Office of Children, Youth and Family Services, Division of Youth Corrections. Available at: <http://www.colorado.gov/cs/Satellite/CDHS-ChildYouthFam/CBON/1251581932067>.



- ❑ While commitment types remained very consistent between FY 2011 and FY2013, non-mandatory sentences increased over the past year (from approximately 69% of all commits in the prior 3 years to 77% in FY 2014). This corresponds with the increase in the number of juveniles committed due to a probation revocation, which accounted for approximately 58% of new commitments in FY 2013 compared to 69.5% in FY 2014. Sentences for non-mandatory commitments and for probation revocations are generally shorter than for other commitment types, which serves to drive the commitment population down.
- ❑ While the length of stay for commitment discharges has exhibited a consistent, though slight, increase over the past several years, this trend is likely to be moderated by the increase in non-mandatory admissions once these juveniles are discharged.
- ❑ Forecasts of the size of the Colorado juvenile population provided by the Colorado Demographer's office indicate continuing growth. The growth rate increased to 2.2% in 2014, and is expected to remain over 2% through 2017. Growth in the juvenile population does exert some upward pressure on the juvenile justice system as a whole.<sup>12</sup>

In addition to the above factors, a good deal of legislation has been passed in recent years which is expected to significantly influence the juvenile population, particularly the detention population.

- ❑ House Bill 12-1139 changed the presumption that juveniles who are charged as adults are to be detained in an adult facility. Juvenile defendants are now required to be held in a juvenile facility, which could increase the juvenile detention population by as many as 50 individuals per year.
- ❑ House Bill 12-1271 raised the age for charging a child as an adult from 14 years old to 16 years old. This law went into effect in April 2012, and could increase the number of individuals in the juvenile population in the future since affected juveniles would be sentenced to NYC rather than prison.
- ❑ House Bill 13-1254 creates a restorative justice pilot project, which allows a juvenile who is charged with a class 3, 4, 5, or 6 felony and has no prior charges to participate in a restorative justice program as an alternative to adjudication.
- ❑ Senate Bill 13-177 reduced the bed cap for detention facilities from 422 to 382. However, the population has been substantially below 382 since July of 2009 and has continued to fall in the interim. Reducing the bed cap appears to have negligible influence on the size of the detention population.

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<sup>12</sup> Colorado State Demographer's Office, Department of Labor and Employment. Available at: [http://www.dola.state.co.us/dlg/demog/pop\\_colo\\_forecasts.html](http://www.dola.state.co.us/dlg/demog/pop_colo_forecasts.html).

- ❑ House Bill 13-1021 limits detention for truants to a maximum of 5 days. Approximately 4% of youth placed in detention are for truancy charges. In FY 2013, 41% were held for longer than 5 days. In FY 2014, the percentage of those held longer than 5 days dropped to 22%. This trend could serve to slightly reduce the average length of stay in detention.
- ❑ House Bill 14-1023 requires the Office of the State Public Defender to hire social workers to assist in juvenile defense cases. This could lead to fewer juveniles receiving commitment or detention sentences.
- ❑ House Bill 14-1032 requires that a juvenile detained for a delinquent act be represented by counsel at the detention hearing.

## DYC AVERAGE DAILY COMMITMENT POPULATION FORECAST

The DYC commitment ADP is projected to continue to decrease throughout the projection period, but at a slower rate than observed over recent years. The ADP is expected to decrease 6.3% by the end of FY 2015, and 24.8% by the end of FY 2019. New commitments are expected to continue sharply declining throughout FY 2015, falling 16.0% by the end of the year. During the following years, the decline in admissions is expected to continue though at a slower rate.

Table 14 summarizes the year-end ADP and new commitment forecasts, while Table 15 presents the projected quarterly year-to-date (YTD) ADP. The historical YTD ADP from FY 2002 through FY 2014, and the projected ADP through 2019 are depicted in Figure 7. Figure 8 displays historical new commitments since FY 2002, and projected new commitments through FY 2019.

**Table 14: DCJ December 2014 juvenile commitment fiscal year-end average daily population and new admissions forecast, FY 2014 through FY 2019**

Fiscal Year End	YTD ADP <sup>1</sup> Forecast	Annual Growth	Annual DYC Admissions	Annual Growth
<b>2013*</b>	<b>851.0</b>	<b>-13.4%</b>	<b>488</b>	<b>-8.4%</b>
<b>2014*</b>	<b>797.4</b>	<b>-6.3%</b>	<b>474</b>	<b>-2.9%</b>
2015	746.0	-6.5%	398	-16.0%
2016	703.7	-5.7%	380	-4.5%
2017	662.5	-5.8%	353	-7.1%
2018	632.1	-4.6%	329	-6.8%
2019	599.7	-5.1%	306	-7.0%

<sup>1</sup> Year to date average daily population.

\* Actual average daily population. Data source: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report. Available at <http://www.colorado.gov/cs/Satellite/CDHS-ChildYouthFam/CBON/1251581932067>.

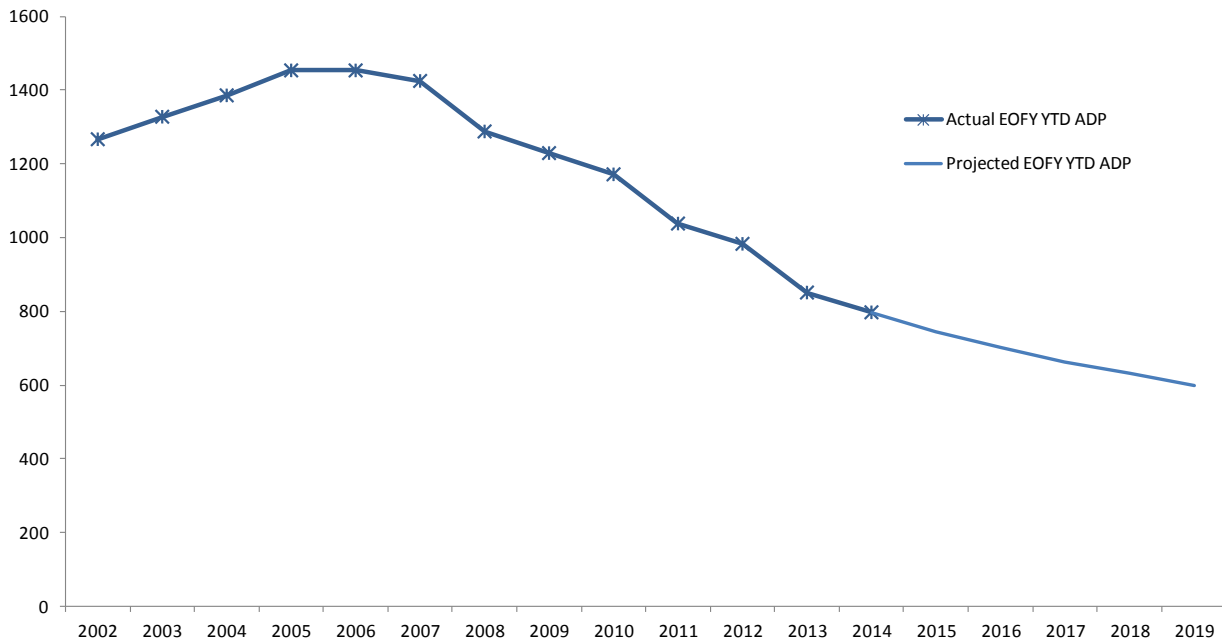
**Table 15: Quarterly juvenile commitment average daily population forecast,  
FY 2014 through FY 2019**

<b>Fiscal Year</b>	<b>Quarter Ending</b>	<b>YTD ADP<sup>1</sup> Forecast</b>	<b>Quarterly Growth</b>
<b>2014*</b>	<b>June, 2014</b>	<b>797.4</b>	<b>-0.6%</b>
<b>2015*</b>	<b>September, 2014</b>	<b>768.1</b>	<b>-3.7%</b>
2015	December, 2014	757.1	-1.4%
2015	March, 2015	749.8	-1.0%
2015	June, 2015	746.0	-0.5%
2016	September, 2015	713.6	-4.3%
2016	December, 2015	713.6	0.0%
2016	March, 2016	707.7	-0.8%
2016	June, 2016	703.7	-0.6%
2017	September, 2016	668.3	-5.0%
2017	December, 2016	667.6	-0.1%
2017	March, 2017	664.2	-0.5%
2017	June, 2017	662.5	-0.2%
2018	September, 2017	641.7	-3.1%
2018	December, 2017	641.3	-0.1%
2018	March, 2018	636.0	-0.8%
2018	June, 2018	632.1	-0.6%
2019	September, 2018	609.5	-3.6%
2019	December, 2018	612.3	0.5%
2019	March, 2019	604.8	-1.2%
2019	June, 2019	599.7	-0.8%

<sup>1</sup>Year to date average daily population.

\* Actual average daily population figures. Data source: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report. Available at: <http://www.colorado.gov/cs/Satellite/CDHS-ChildYouthFam/CBON/1251581932067>.

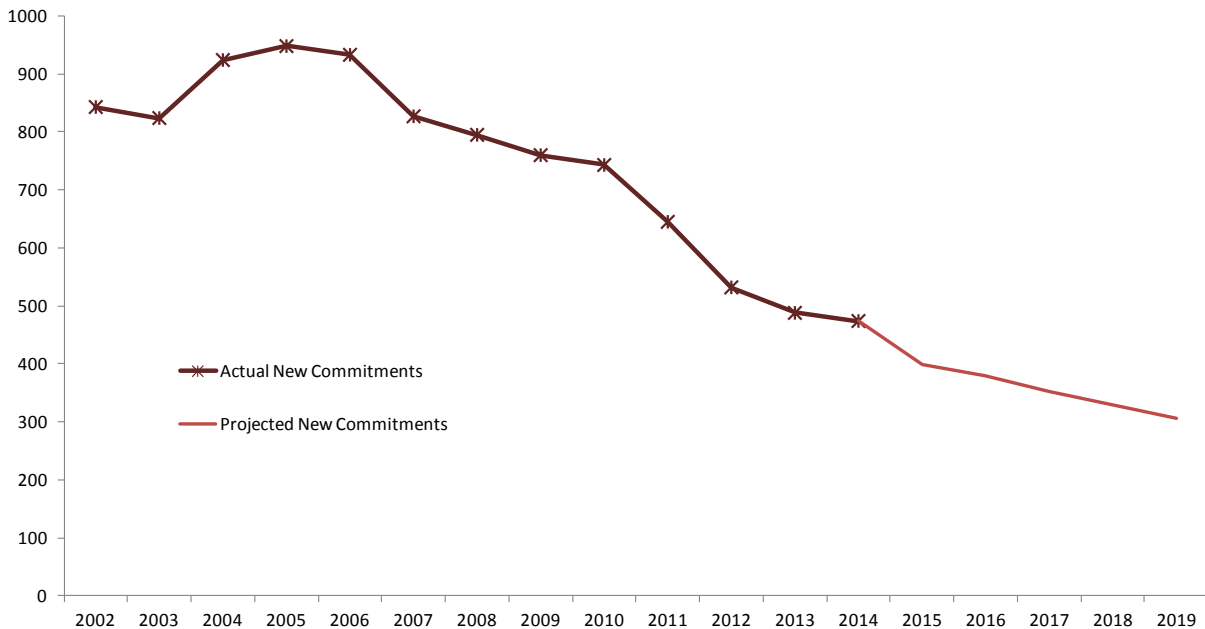
**Figure 10: Fiscal year-end year to date juvenile commitment average daily population FY 2002 through FY 2014 and DCJ forecast through FY 2019**



Note: FY 2000-2014 data points reflect actual year-end average daily population figures.

Data Sources: Colorado Department of Human Services Division of Youth Corrections Management Reference Manuals and Monthly Population Reports. Available at <http://www.colorado.gov/cs/Satellite/CDHS-ChildYouthFam/CBON/1251581932067>.

**Figure 11: Annual new juvenile commitments FY 2002 through FY 2014 and DCJ forecast through FY 2019**



Note: FY 2002-2014 data points reflect actual year-end average daily population figures.

Data Sources: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report and Management Reference Manuals. Available at <http://www.colorado.gov/cs/Satellite/CDHS-ChildYouthFam/CBON/1251581932067>.

## AVERAGE DAILY JUVENILE DETENTION POPULATION FORECAST

Prior to 2004, juvenile detention projections were included in the annual DCJ correctional population forecasts. The passage of S.B. 03-286 placed a limit of 479 beds for detention placements, so the development of these projections was suspended. In 2011, this bed limit was further lowered to 422 beds in 2011 and to 382 in 2013. However, these caps appear to have little influence on the size of the detention population. Therefore, juvenile detention forecasts were re-introduced to the DCJ projections 2012.

As is the case with the juvenile commitment forecast, the detention population is expected to decline throughout the forecast period. Unlike the commitment forecast, however, this decline is expected to be minimal in the first year, falling by only 0.5% in FY 2015. However, the rate of decline is expected to accelerate over the following four years resulting in an overall decline of 16.2% by the end of FY 2019.

While the decrease in ADP observed over the prior six years continued through FY 2014, the rate of decline appears to have slowed in early FY 2015. Over the 12 months following November 2010, the detention ADP fell 6.6%. The following 12 months saw a 4.9% decline, which fell to 3.3% over the next 12 months. As of November 2014, the ADP fell by only 2.8% over the prior 12 months. Additionally, the change in new admissions to detention has also very recently moderated. While new admits fell by 7.4% in FY 2014, the number of new admits in the first four months of FY 2015 has actually increased over the number of new admits during the same time frame last year. These factors provide short-term upward pressure on the size of the population.

However, the declines in all juvenile correctional populations in combination with recent legislation (as previously discussed) are expected to force the detention ADP downward and intensify the rate of decline between the end of FY 2015 throughout the projection period.

Table 16 summarizes the year-end detention ADP, while Table 17 presents the projected quarterly detention YTD ADP. The historical detention year-end ADP from FY 2002 through FY 2014 and the projected ADP through 2019 are depicted in Figure 9.

**Table 16: DCJ December 2014 juvenile detention fiscal year-end average daily population, FY 2014 through FY 2019**

<b>Fiscal Year End</b>	<b>YTD ADP<sup>1</sup> Forecast</b>	<b>Annual Growth</b>
<b>2013*</b>	<b>307.6</b>	<b>-2.8%</b>
<b>2014*</b>	<b>290.6</b>	<b>-5.5%</b>
2015	289.3	-0.5%
2016	280.1	-3.2%
2017	268.8	-4.0%
2018	256.5	-4.6%
2019	243.6	-5.0%

<sup>1</sup> Year to date average daily population.

\* Actual ADP figures. Data source: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report. Available at: <http://www.colorado.gov/cs/Satellite/CDHS-ChildYouthFam/CBON/1251581932067>.

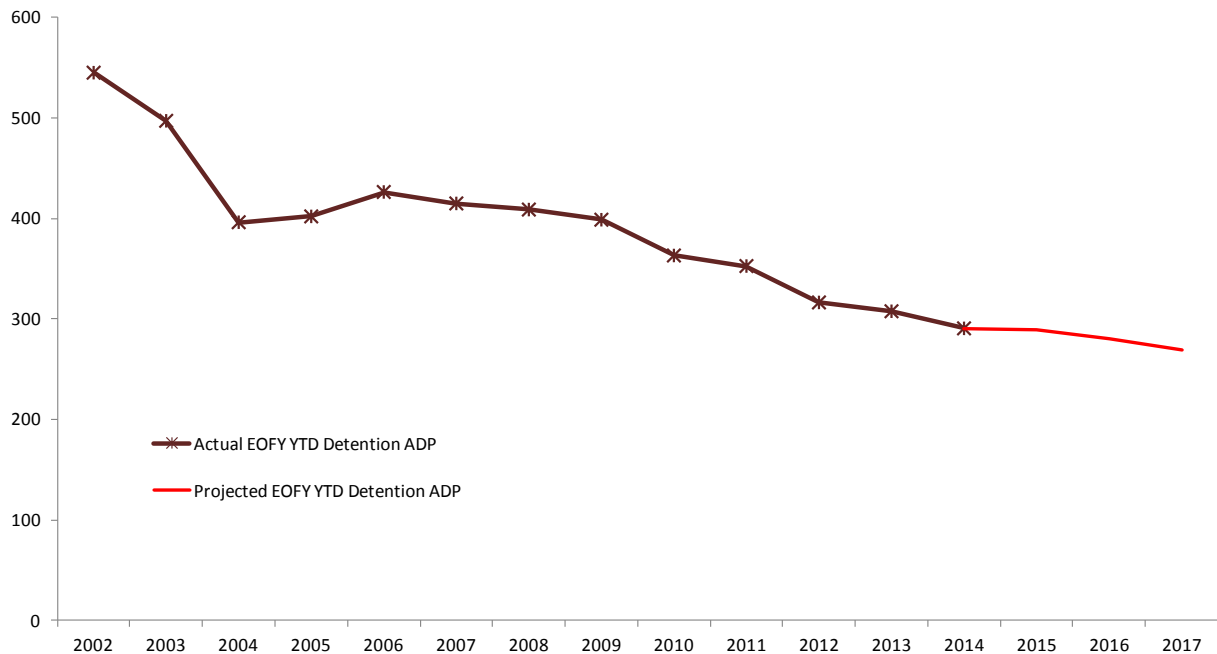
**Table 17: Quarterly juvenile detention average daily population forecast, FY 2014 through FY 2019**

<b>Fiscal Year</b>	<b>Quarter Ending</b>	<b>YTD ADP<sup>1</sup> Forecast</b>	<b>Quarterly Growth</b>
<b>2014*</b>	<b>June, 2014</b>	<b>290.6</b>	<b>-0.5%</b>
<b>2015*</b>	<b>September, 2014</b>	<b>284.0</b>	<b>-2.3%</b>
2015	December, 2014	281.9	-0.8%
2015	March, 2015	283.9	0.7%
2015	June, 2015	289.3	1.9%
2016	September, 2015	283.8	-1.9%
2016	December, 2015	275.9	-2.8%
2016	March, 2016	275.8	0.0%
2016	June, 2016	280.1	1.6%
2017	September, 2016	273.8	-2.2%
2017	December, 2016	265.4	-3.1%
2017	March, 2017	264.9	-0.2%
2017	June, 2017	268.8	1.5%
2018	September, 2017	262.2	-2.5%
2018	December, 2017	253.5	-3.3%
2018	March, 2018	252.7	-0.3%
2018	June, 2018	256.5	1.5%
2019	September, 2018	249.7	-2.7%
2019	December, 2018	240.9	-3.5%
2019	March, 2019	240.0	-0.4%
2019	June, 2019	243.6	1.5%

<sup>1</sup> Year to date average daily population.

\* Actual ADP figures. Data source: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report. Available at: <http://www.colorado.gov/cs/Satellite/CDHS-ChildYouthFam/CBON/1251581932067>.

**Figure 12: Historical and projected juvenile detention year-end average daily population FY 2002 through FY 2019**



Note: FY 2002-2014 data points reflect actual year-end average daily population figures.

Data Sources: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report and Management Reference Manuals. Available at : <http://www.colorado.gov/cs/Satellite/CDHS-ChildYouthFam/CBON/1251581932067>.

## AVERAGE DAILY JUVENILE PAROLE CASELOAD FORECAST

The juvenile parole caseload experienced widely varied growth over the past fifteen years due to multiple factors, particularly due to changes in mandatory parole terms. In 1997 mandatory one-year parole terms were implemented. Subsequently, the ADC grew sharply through July 2001. In 2001 the mandatory parole term was lowered to nine months,<sup>13</sup> after which the ADC fell rapidly. However, after two years, steep growth resumed. In 2003 the mandatory parole term was further lowered to six months,<sup>14</sup> resulting in a significant decline in the ADC for a period of time. The ADC dropped significantly until April of 2004, at which point it began to grow again at a significant rate before leveling off in mid-FY 2005.

The parole population remained relatively stable through mid-FY 2008, with short-term increases corresponding with decreases in the commitment population. Beginning in January 2008, the size of the caseload began a period of significant decline corresponding with the overall decline in the commitment

<sup>13</sup> Senate Bill 2001-77, effective July 1, 2001.

<sup>14</sup> Senate Bill 2003-284, effective May 1, 2003.

population. A short-lived increase was observed in FY 2010, followed by declines averaging 10.9% per year over the next four years. In FY 2014 alone, the parole ADC fell by 15.2%.<sup>15</sup>

For the past 7 years, and to date in the current year, discharges from parole have exceeded intakes. Over the past three years, this discrepancy has moderated. In FY 2013, discharges exceeded intakes by 18.7%. This discrepancy fell to 13.5% in FY 2014, and has decreased to 10.7% to date in FY 2015.<sup>16</sup> The combination of decreasing commitment ADP and the ratio of parole intakes to discharges will continue to force the parole population down. However, with the expected slowing in the rate of decline in the commitment population and the moderation of the discrepancy between parole intakes and terminations, the expected decline in the parole caseload is also expected to moderate somewhat between FY 2016 and FY 2019.

The juvenile parole ADC is expected to decrease 13.8% over the course of FY 2015 and 26.5% between FY 2014 and FY 2019. Table 18 summarizes these estimates, while Figure 10 depicts the historical fluctuations in parole ADC between FY 2002 and FY 2014, along with the projected ADC through FY 2019.

**Table 18: Juvenile parole year-end average daily caseload forecast, FY 2014 through FY 2019**

Fiscal Year End	YTD ADC <sup>1</sup> Forecast	Annual Growth
<b>2013*</b>	<b>331.6</b>	<b>-8.8%</b>
<b>2014*</b>	<b>281.3</b>	<b>-15.2%</b>
2015	242.4	-13.8%
2016	232.2	-4.2%
2017	221.9	-4.4%
2018	214.9	-3.2%
2019	206.9	-3.7%

<sup>1</sup> Year to date average daily caseload.

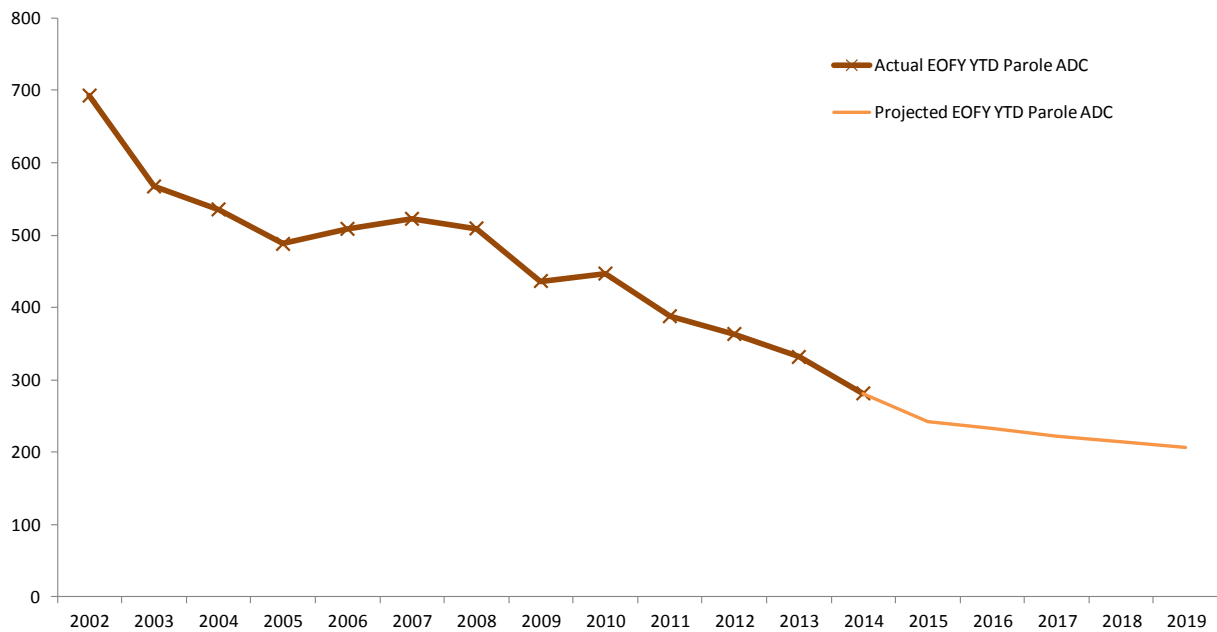
\* Actual ADC figures. Data source: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report. Available at: <http://www.colorado.gov/cs/Satellite/CDHS-ChildYouthFam/CBON/1251581932067>.

<sup>15</sup> Colorado Department of Human Services (2006-2013). *Management Reference Manuals*. Denver, CO: Colorado Department of Human Services, Office of Children, Youth and Family Services, Division of Youth Corrections; *Monthly Population Reports*. Denver, CO: Colorado Department of Human Services, Office of Children, Youth and Family Services, Division of Youth Corrections. Available at: <http://www.colorado.gov/cs/Satellite/CDHS-ChildYouthFam/CBON/1251581932067>.

<sup>16</sup> Ibid.



**Figure 13: Historical and projected juvenile parole year-end average daily caseload  
FY 2002 through FY 2019**



Note: FY 2002-FY 2014 data points represent actual average daily caseload figures.

Data Sources: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report and Management Reference Manuals. Available at: <http://www.colorado.gov/cs/Satellite/CDHS-ChildYouthFam/CBON/1251581932067>.



## **Appendix A**

### **Laws Affecting Prison Sentences and Length Of Stay in Prison**

## LEGISLATION AFFECTING PRISON POPULATION GROWTH

Prisoners in Colorado are subject to many different sentencing laws, the most significant of which dates back to 1979 with H.B. 1589. Many of the ensuing changes in legislation have affected the size of the prison population, particularly House Bill 1320, passed in 1985. Changes to parole laws in the 1990s significantly affected the size of the parole population and the associated number of individuals subject to revocation decisions. Several pieces of legislation were passed in 2010 which are expected to have a significant impact on the size of both the prison and the parole populations. These sentencing laws are outlined below.<sup>17</sup>

- ❑ In 1979, House Bill 1589 changed sentences from indeterminate to determinate terms and made parole mandatory at one-half (the mid-point) the sentence served.
- ❑ In 1981, House Bill 1156 required that the courts sentence offenders above the maximum of the presumptive range for “crimes of violence” as well as for crimes committed with aggravating circumstances.
- ❑ In 1985, House Bill 1320 doubled the maximum penalties of the presumptive ranges for all felony classes and mandated that parole be granted at the discretion of the Parole Board. As a result of this legislation, the average length of stay projected for new commitments nearly tripled from 20 months in 1980 to 57 months in 1989. In addition, parole became discretionary which contributed to increased lengths of stay. After the enactment of H.B. 1320, the inmate population more than doubled over the next five years.
- ❑ In 1988, Senate Bill 148 changed the previous requirement of the courts to sentence above the maximum of the presumptive range to sentencing at a minimum the mid-point of the presumptive range for “crimes of violence” and crimes associated with aggravating circumstances.
- ❑ In 1989, several class five felonies were lowered to a newly created felony class six with a presumptive penalty range of one to two years through the passage of Senate Bill 246.
- ❑ In 1990, House Bill 1327 doubled the maximum amount of earned time that an offender is allowed to earn while in prison from five to ten days per month. In addition, parolees were allowed to accumulate earned time while on parole. This legislation reduced time spent on parole as well as reduced the length of stay for offenders who discharged their sentence.

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<sup>17</sup> Portions of this section were excerpted from: Rosten, K. (2003) *Statistical Report: Fiscal Year 2002*. (pp. 4 – 22). Colorado Springs, CO: Department of Corrections.

- ❑ In 1990, Senate Bill 117 modified life sentences for first-degree felony convictions to “life without parole.” The previous parole eligibility occurred after 40 calendar years were served. This affected sentences for crimes committed after September 20, 1991.
- ❑ In 1993, House Bill 1302 reduced the presumptive ranges for certain non-violent class 3 through class 6 felonies and added a split sentence mandating a period of parole for all crimes following a prison sentence. This legislation also eliminated earned time awards while on parole.
- ❑ Sentencing for habitual offenders was also changed in 1993 with House Bill 1302. This bill revised the sentence for repeat offenders convicted of class 1 through class 5 felonies. Offenders who have twice been convicted of a previous felony are subject to a term of three times the maximum of the presumptive range of the current felony conviction. Those who have received three prior felony convictions are sentenced to four times the maximum of the presumptive range of the current felony conviction. Additionally, any offender previously sentenced as a habitual offender with three prior convictions, and thereafter convicted of a crime of violence, is subject to a life sentence with parole eligibility after 40 calendar years.<sup>18</sup>
- ❑ In 1993, Senate Bill 9 created the provision for certain juvenile offenders to be prosecuted and sentenced as adults, and established the Youthful Offender System (YOS) within the Department of Corrections (DOC). Initially, 96 beds were authorized, with the construction of a YOS facility with a capacity of 480 beds approved.
- ❑ In 1994, Senate Bill 196 created a new provision for habitual offenders with a current conviction of any class one or two felony, or any class three felony that is defined as a crime of violence, and who have been previously convicted of these same offenses twice. This “three strikes” legislation requires that these offenders be sentenced to a term of life imprisonment with parole eligibility in forty calendar years.
- ❑ In 1995, House Bill 1087 reinstated earned time provisions for certain non-violent offenders while on parole. This legislation was enacted in part as a response to the projected parole population growth resulting from the mandatory parole periods established by H.B. 93-1302.
- ❑ In 1996, House Bill 1005 broadened the criminal charges eligible for direct filings of juveniles in adult court and possible sentencing to the YOS. This legislation also lowered the age limit of juveniles eligible for direct filing and sentencing to YOS from 14 to 12 years of age.

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<sup>18</sup> Affects convictions for crimes of violence defined by CRS § 18-1.3-406.

- ❑ House Bill 98-1160 applied to offenses occurring on or after July 1, 1998, mandating that every offender must complete a period of parole supervision after incarceration. A summary of the major provisions that apply to mandatory parole follows:
  - Offenders committing class 2, 3, 4 or 5 felonies or second or subsequent class 6 felonies, and who are revoked during the period of their mandatory parole, may serve a period up to the end of the mandatory parole period while incarcerated. In such a case, one year of parole supervision must follow.
  - If revoked during the last six months of mandatory parole, intermediate sanctions including community corrections, home detention, community service or restitution programs are permitted, as is a re-incarceration period of up to twelve months.
  - If revoked during the one year of parole supervision, the offender may be re-incarcerated for a period not to exceed one year.
- ❑ House Bill 98-1156 concerned the lifetime supervision of certain sex offenders, and is referred to as the 'Colorado Sex Offender Lifetime Supervision Act of 1998'. A number of provisions in the bill addressing sentencing, parole terms, and parole conditions are summarized below:
  - For certain crimes,<sup>19</sup> a sex offender shall receive an indeterminate term of at least the minimum of the presumptive range specified in 18-1-105, C.R.S. for the level of offense committed and a maximum of the sex offender's natural life.
  - For crimes of violence,<sup>20</sup> a sex offender shall receive an indeterminate term of at least the midpoint in the presumptive range for the level of offense committed and a maximum of the sex offender's natural life.
  - For sex offenders eligible for sentencing as a habitual sex offender against children (pursuant to 18-3-412, C.R.S.), the sex offender shall receive an indeterminate term of at

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<sup>19</sup> Such crimes are defined in CRS § 18-1.3-10, and include the following: Sexual assault, as described in section 18-3-402; sexual assault in the first degree, as described in section 18-3-402 as it existed prior to July 1, 2000; Sexual assault in the second degree, as described in section 18-3-403 as it existed prior to July 1, 2000; Felony unlawful sexual contact as described in section 18-3-404; Felony sexual assault in the third degree, as described in section 18-3-404 (2) as it existed prior to July 1, 2000; Sexual assault on a child, as described in section 18-3-405; Sexual assault on a child by one in a position of trust, as described in section 18-3-405.3; Aggravated sexual assault on a client by a psychotherapist, as described in section 18-3-405.5(1); Enticement of a child, as described in section 18-3-305; Incest, as described in section 18-6-301; Aggravated incest, as described in 18-6-302; Patronizing a prostituted child, as described in section 18-7-406; Class 4 felony internet luring of a child, in violation of section 18-3-306(3); Internet sexual exploitation of a child in violation of section 18-3-405/4; Attempt, conspiracy, or solicitation to commit any of these offenses if such attempt, conspiracy, or solicitation would constitute a class 2, 3, or 4 felony.

<sup>20</sup> Defined by CRS § 18-1.3-406.

least the upper limit of the presumptive range for the level of offense committed and a maximum of the sex offender's natural life.

- o The period of parole for any sex offender convicted of a class 4 felony shall be an indeterminate term of at least 10 years and a maximum of the remainder of the sex offender's natural life.
  - o The period of parole for any sex offender convicted of a class 2 or 3 felony shall be an indeterminate term of at least 20 years and a maximum of the sex offender's natural life.
- ❑ In 2003, Senate Bill 252 allowed the Parole Board to revoke an individual who was on parole for a nonviolent class 5 or class 6 felony, except in cases of menacing and unlawful sexual behavior, to a community corrections program or to a pre-parole release and revocation center for up to 180 days. This bill also allowed DOC to contract with community corrections programs for the placement of such parolees. Additionally, the bill limited the time a parolee can be revoked to the DOC to 180 days for a technical revocation, provided that the parolee was serving parole for a nonviolent offense. Finally, this bill repealed the requirement of an additional year of parole if a parolee is revoked to prison for the remainder of the parole period (originally effected by H.B. 98-1160).
  - ❑ House Bill 04-1189 lengthened the amount of time that must be served prior to parole eligibility for violent offenders.<sup>21</sup> First time offenders convicted of a violent offense must serve 75% of their sentence less any earned time awarded. If convicted of a second or subsequent violent offense, the full 75% of their sentence must be served.
  - ❑ Also in 2004, Senate Bill 04-123 recognized the YOS as a permanent program by eliminating the repeal date.
  - ❑ In 2008, House Bill 1352 modified the revocation placement options available to the Parole Board for offenders whose parole has been revoked based on a technical violation, who have no active felony warrants, and who were on parole for a class 5 or class 6 nonviolent felony offense other than menacing or unlawful sexual behavior by precluding such offenders from being placed in community return-to-custody facilities.
  - ❑ Also in 2008, House Bill 1382 modified the law regarding offenders for whom the Department of Corrections can mandate sex offender treatment, and also expanded the population of offenders

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<sup>21</sup> As defined by CRS § 18-1.3-406.

who are eligible for earned time by allowing earned time eligibility while on parole or after re-parole following a parole revocation.

- ❑ House Bill 09-1351 increased the maximum monthly earned time from 10 days to 12 days per month for certain inmates convicted of class 4, 5, or 6 felonies and changed the maximum earned time reduction from 25% to 30% of an offender's total sentence. In addition, the bill created 'earned release time' for inmates meeting certain qualifications. Inmates convicted of class 4 or class 5 felonies who meet these qualifications may earn their release 60 days prior to their mandatory release date, while eligible class 6 felons may earn release 30 days prior to their mandatory release date.
- ❑ In 2010, House Bill 1374 clarified eligibility criteria for the enhanced earned time that was created the prior year in House Bill 09-1351 and made substantial changes to the statutory parole guidelines in C.R.S. § 17-22.5-404. A statement of legislative intent was added, with the requirement that the Division of Criminal Justice (DCJ) develop a risk assessment scale for use by the Parole Board that includes criteria shown to be predictors of recidivism risk. The DCJ, DOC, and the Parole Board were also required to develop the Parole Board Action Form, to document the rationale for decisions made by the Board. The Parole Board is required to use the risk assessment scale and the administrative guidelines for both release and revocation decision making.
- ❑ Also in 2010, House Bill 1360 allows the Parole Board to modify the conditions of parole and require the parolee to participate in a treatment program in lieu of a parole revocation. A parolee who commits a technical parole violation, and was not on parole for a crime of violence, may have his or her parole revoked for a period of no more than 90 days if assessed as below high risk to reoffend, or up to 180 days if assessed as high risk. Additionally, placement in a community return to custody facility for a technical parole violation was expanded to include people convicted of a non-violent class 4 felony. The bill also specified that the Division of Adult Parole provide the judiciary committees of the House and Senate with a status report regarding parole outcomes and the use of money allocated pursuant to the bill. A portion of the savings are required to be allocated for re-entry support services for parolees including obtaining employment, housing, transportation, substance abuse treatment, mental health treatment, and other services.
- ❑ House Bill 11-1064 created a presumption favoring the granting of parole to certain qualifying inmates serving sentences for drug possession or drug use offenses.
- ❑ Senate Bill 11-241 expands the definition of special needs offenders, and permits the inclusion of offenders convicted of certain felony 1 and felony 2 crimes qualifying for a special needs parole consideration. Additionally, the bill creates a presumption in favor of granting parole for certain inmates with a detainer from the United States Immigration and Customs Enforcement Agency (ICE).



- ❑ House Bill 12-1223 restores eligibility for earned time to people re-incarcerated for a parole revocation and expands earned time for major program completion or extra-ordinary conduct by an inmate that promotes the safety of staff, volunteers or other inmates. Additionally, the bill allows prisoners re-incarcerated for technical parole violations to accrue earned time. Any cost savings are to be reinvested into vocational and educational programming inside prison and re-entry support services for people on parolee.
- ❑ House Bill 14-1355 provided over \$8 million in funding and 78.4 FTE per year for reentry programs for adult parolees. These funds are to develop and implement programs to assist inmates to prepare for release to the community as well as provide equipment, training, and programs to better supervise offenders in the community.

In addition to legislation specifically impacting sentencing laws and parole requirements, new laws affecting prison admissions and sentence lengths are introduced every year. Many of these may result in an increase or a decrease in the number of individuals sentenced to DOC, or the length of their prison sentences. Collectively they may have a significant impact on the size of future prison populations. These changes in legislation are taken into account in the development of prison population forecasts.