

The Colorado Division of Criminal Justice
Summer 2022 Interim Prison Population and Parole Caseload Forecast
June 2022

Introduction and overview

After the profound 12.6% decline in the prison population seen in fiscal year (FY) 2020 in the wake of the COVID-19 pandemic and subsequent criminal justice system responses, the prison population continued to decline throughout FY 2021. Overall the population declined 11.6% through FY 2021, with a slow return to growth beginning in early FY 2022, accelerating through the end of the fiscal year.

Based on the population figures as of mid-June, it is expected that the total population will reach 16,439 by fiscal year-end, very close to the 16,466 projected in November 2021, resulting in a projected overall error rate of 0.2%. The male prison population is expected to be 15,094 by June 30, which is seven fewer (-0.1%) than the November projection. The female prison population is expected to be 1,345 by June 30, 1.5% lower than was projected in November.

While the growth expected through mid-FY 2022 at the time of the November 2021 forecast was not realized, the degree of growth observed in the last quarter of the year exceeds any degree of quarterly growth observed across the past decade, and prompts an expectation of continued robust growth. The total inmate population is expected to increase 44.9% between FY 2021 and FY 2028, while the female population is expected to increase 60.7% over the same time frame.

While the growth expected in upcoming years appears alarming, it is important to note that the size of the inmate population expected in upcoming years remains appreciably below that expected at the time of forecasts prepared prior to the beginning of FY 2020. In early FY 2020 criminal filings began to level, and the passage of legislation¹ which reduced several existing drug felonies to misdemeanors contributed to the deceleration of projected increases in ensuing years. By mid-FY 2020, forecasts were adjusted significantly downward in response to both the systemic responses to the COVID-19 pandemic and the implementation of legislation which was expected to divert many prison admissions which would previously have been sentenced to prison with escape convictions.²

By the time the population forecasts were released in June and November of 2021, reductions in the population and expected growth rate were still mainly attributed to the slowing of court filings in response to the pandemic, with the impact of the legislation described above being unknown due to the simultaneity of the onset of the pandemic and the implementation of these bills. At the time, it was expected that growth would occur as courts begin to return to a normal pace of in-person operations.

However, more recent analyses suggest that reductions in criminal filings during 2020 were more attributable to legislation than due to the disruption of court operations due to the pandemic. Rather, reductions in court cases were mainly observed among misdemeanor and traffic filings beginning in April of 2020. Even though filings for drug misdemeanors increased during this time, due to decriminalization of many drug offenses, overall misdemeanor filings did decline significantly. Thus, it is likely that a new baseline of criminal filings has been reached, with the current forecast adjusted accordingly.

¹ See House Bill 2019-1263, enacted March 2020.

² House Bill 2020-1019, enacted March 2020.

Current forecast

Table 1 outlines the current expectations for annual prison admissions by type for fiscal years 2022 through 2028, followed by the anticipated numbers of annual prison releases by type in Table 2. Table 3 outlines the current quarterly expectations for the prison population between FY 2022 and FY 2028. These figures are presented for the total population as well as separately for the male and female inmate populations. Table 4 presents the same information on an annual basis through FY 2028.

The current quarterly estimates of the inmate population compared to the forecast prepared in November 2021 are graphically displayed in Figure 1, followed by this comparison for the female prison population in Figure 2. End-of-year estimates for the parole caseload between FY 2022 through FY 2028 are provided in Table 5.

Table 1. DCJ June 2022 interim prison population forecast: prison admissions by type

SFY	New court commitments	Parole returns with a new crime	Technical violation returns	Other	Total admissions
2021*	3,603	751	698	39	5,091
2022	4,721	790	755	14	6,281
2023	5,799	672	865	26	7,362
2024	6,094	665	914	31	7,704
2025	6,181	733	1,011	35	7,960
2026	6,254	798	1,105	37	8,195
2027	6,314	847	1,164	40	8,366
2028	6,348	881	1,220	44	8,493

* Actual count provided by Colorado Department of Corrections Monthly Population and Capacity Reports

Table 2. DCJ June 2022 interim prison population forecast: prison releases by type

SFY	Parole releases			Sentence Discharge	Other	Total Releases
	Mandatory	Discretionary	Total			
2021*	2,177	4,049	6,226	763	126	7,115
2022	1,721	2,913	4,634	563	97	5,294
2023	1,881	3,195	5,076	597	77	5,750
2024	2,080	3,537	5,617	650	85	6,352
2025	2,278	3,871	6,149	719	93	6,961
2026	2,404	4,071	6,476	782	98	7,356
2027	2,525	4,264	6,789	840	102	7,731
2028	2,606	4,394	7,000	880	106	7,987

* Actual count provided by Colorado Department of Corrections Monthly Population and Capacity Reports

Table 3. DCJ June 2022 interim quarterly prison population forecast

SFY	End of month:	Total population	Quarterly growth	Male	Quarterly growth	Female	Quarterly growth
2021	June-21	15,434	-1.51%	14,218	-1.31%	1,216	-3.80%
2022	September-21	15,446	0.08%	14,193	-0.18%	1,253	3.04%
	December-21	15,642	1.27%	14,374	1.28%	1,268	1.20%
	March-22	15,934	1.87%	14,638	1.84%	1,296	2.21%
2023	June-22	16,439	3.17%	15,094	3.12%	1,345	3.78%
	September-22	16,876	2.66%	15,490	2.62%	1,386	3.03%
	December-22	17,253	2.24%	15,831	2.20%	1,422	2.61%
	March-23	17,631	2.19%	16,173	2.16%	1,458	2.50%
2024	June-23	18,033	2.28%	16,538	2.25%	1,495	2.59%
	September-23	18,416	2.12%	16,884	2.09%	1,532	2.44%
	December-23	18,769	1.92%	17,203	1.89%	1,566	2.26%
	March-24	19,082	1.67%	17,484	1.63%	1,598	2.02%
2025	June-24	19,385	1.59%	17,758	1.57%	1,627	1.83%
	September-24	19,659	1.42%	18,003	1.38%	1,656	1.78%
	December-24	19,894	1.19%	18,212	1.16%	1,682	1.54%
	March-25	20,140	1.24%	18,431	1.20%	1,709	1.59%
2026	June-25	20,384	1.21%	18,649	1.18%	1,735	1.55%
	September-25	20,622	1.17%	18,860	1.13%	1,761	1.52%
	December-25	20,823	0.98%	19,039	0.95%	1,784	1.27%
	March-26	21,024	0.97%	19,218	0.94%	1,807	1.27%
2027	June-26	21,223	0.94%	19,393	0.91%	1,829	1.26%
	September-26	21,368	0.68%	19,520	0.65%	1,848	1.02%
	December-26	21,554	0.87%	19,683	0.84%	1,871	1.22%
	March-27	21,705	0.70%	19,819	0.69%	1,886	0.82%
2028	June-27	21,857	0.70%	19,956	0.69%	1,901	0.82%
	September-27	21,985	0.58%	20,070	0.57%	1,915	0.70%
	December-27	22,129	0.66%	20,200	0.65%	1,929	0.77%
	March-28	22,260	0.59%	20,317	0.58%	1,943	0.71%
	June-28	22,364	0.47%	20,410	0.46%	1,954	0.58%

Note: the quarterly growth reflects the degree of increase or decrease from the end of the prior quarter

* Actual counts provided by Colorado Department of Corrections Monthly Population and Capacity Reports

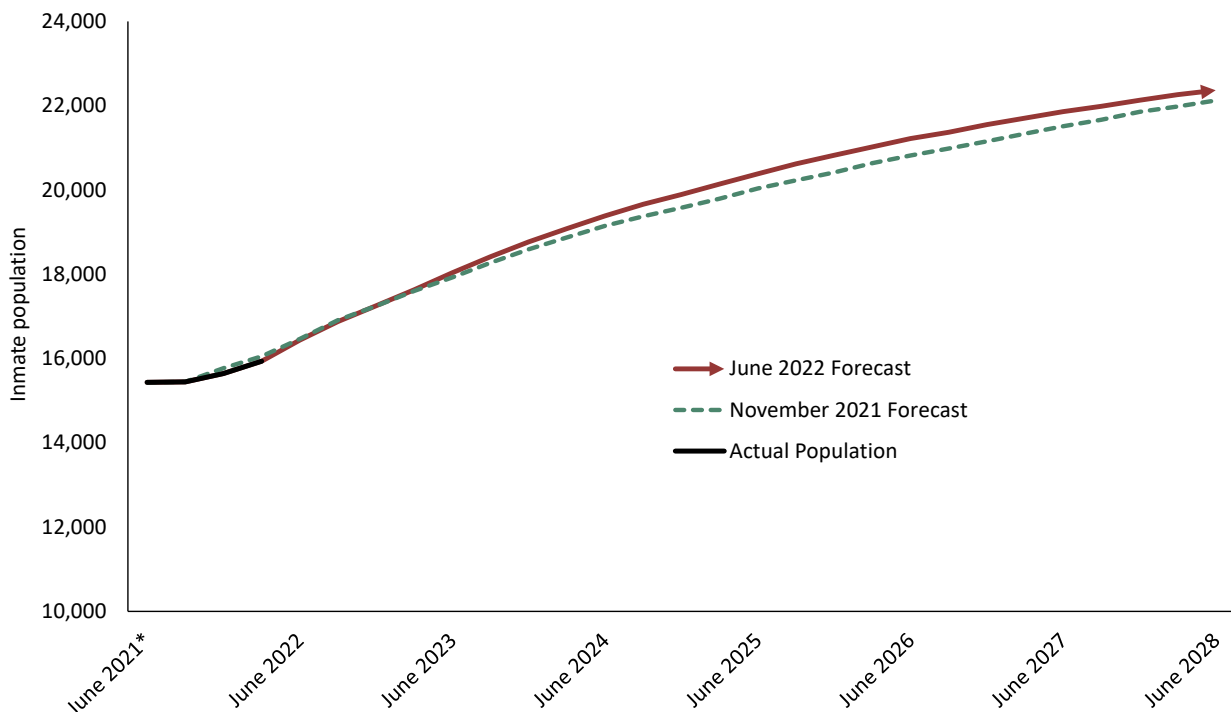
Table 4. DCJ June 2022 interim annual prison population forecast

SFY	Total population	Annual growth	Male	Annual growth	Female	Annual growth
2021*	15,434	-11.51%	14,218	-10.50%	1,216	-21.80%
2022	16,439	6.51%	15,094	6.16%	1,345	10.61%
2023	18,033	9.70%	16,538	9.57%	1,495	11.17%
2024	19,385	7.50%	17,758	7.38%	1,627	8.83%
2025	20,384	5.15%	18,649	5.02%	1,735	6.62%
2026	21,223	4.12%	19,393	3.99%	1,829	5.44%
2027	21,857	2.99%	19,956	2.90%	1,901	3.94%
2028	22,364	2.32%	20,410	2.27%	1,954	2.79%

Note: the annual growth reflects the degree of increase or decrease from the end of the prior fiscal year

* Actual counts provided by Colorado Department of Corrections Monthly Population and Capacity Reports

Figure 1. End-of-quarter actual total inmate population, DCJ June 2022 interim forecast, and November 2021 forecast

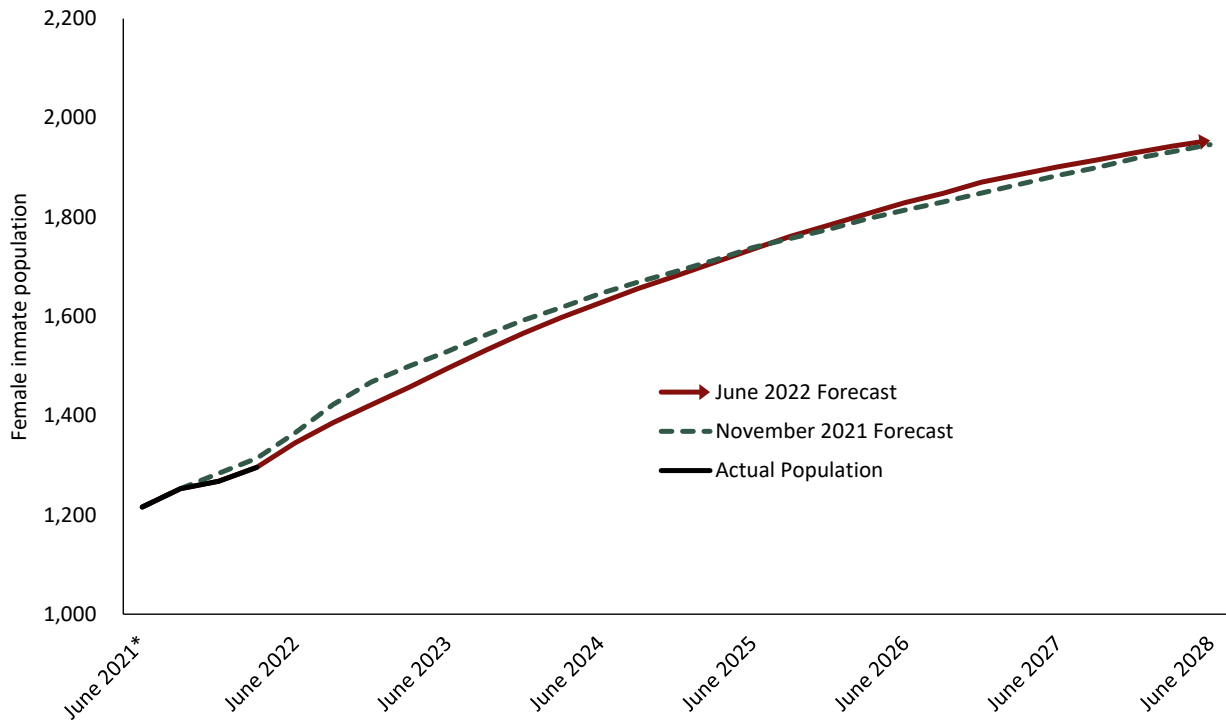


Actual population counts provided by Colorado Department of Corrections Monthly Population and Capacity Reports

Women in prison

The proportion of the population made up of women fell from 10.0% in early FY 2020 to 7.9% in the last quarter of FY 2021. This was the lowest ratio of women to men in Colorado prisons observed in the past 20 years. This trend appears to have stabilized, with the proportion of the population made up of women rising very slowly but consistently. While it is expected that this trend will continue, it is not expected to return to the proportions witnessed in prior years.

Figure 2. End-of-quarter actual female inmate population, DCJ June 2022 interim forecast and November 2021 forecast



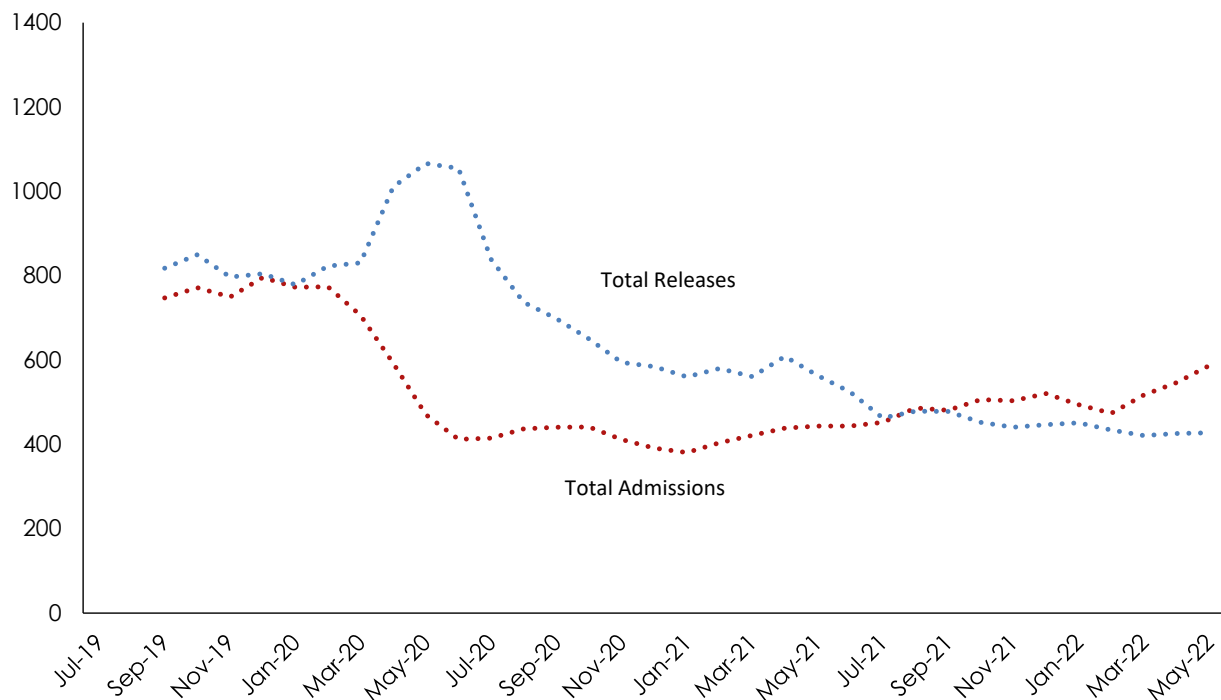
Actual population counts provided by Colorado Department of Corrections Monthly Population and Capacity Reports

Admissions and Releases

The current population growth is attributable to increases in new commitments to prison. In spite of any decline in admissions due to the reduction in felony drug and escape charges attributable to House Bills 19-1263 and 20-1019, new commitments have demonstrated a steady increase since January of 2021. Another source of increasing prison admissions rests with technical parole violations. The proportion of the parole caseload returned to prison each month averaged approximately 1.8% in the 12 months prior to March of 2020, after which it fell to an average of 0.5%. This drop may have been the result of a reluctance to revoke parole in an attempt to keep prison populations down due to COVID-19, or may have been due to changes in parole board policy. A contributing factor may also lie with the passage of SB 19-143, which severely limited the circumstances under which a parolee may be revoked for a technical parole violation. However, patterns observed in the past 6 months may indicate a slight increase in revocations.

Though prison admissions due to technical parole returns have remained much lower than the numbers seen prior to and during FY 2020, these are expected to accelerate in FY 2024, corresponding with the projected increase in releases to parole. Concurrently, the number of releases from prison declined by 23.1%. While total releases exceeded admissions throughout FY 2021, this differential equalized in early FY 2022 followed by a reversal in recent months, as shown in Figure 3. Admissions have consistently exceeded releases across the past 6 months, a trend which inevitably leads to growth in the population.

Figure 3. Monthly prison admissions and releases FY 2020-FY 2022: 3-month moving average



Source: Colorado Department of Corrections Monthly Population and Capacity Reports

Parole

The domestic parole caseload forecast produced in November 2021 indicated the caseload would reach 7,863 by the end of FY 2022, very close to the actual year-end caseload of 7,862. However, while a return to growth was originally expected in the upcoming year, the current forecast points to negative growth throughout FY 2023. This is in part due to a shortfall in the number of new court commitments expected at the time of the November 2021 forecast. A return to robust growth is expected in FY 2024, with an overall expected increase of 13.0% between FY 2021 and FY 2028.

The proportion of the total jurisdictional population made up of parolees peaked in December 2020, has fallen consistently since, and has now reached pre-pandemic levels. It is expected that this ratio will continue to fall as a large proportion of the current population is comprised of fairly recent new commitments who will remain in prison for an average of 3 years prior to being paroled.

Table 5 provides the current end-of-year estimates for the parole caseload between FY 2022 and FY 2028. Figure 6 displays a comparison of the November 2021 and the current parole caseload forecasts.

Table 5. DCJ June 2020 interim domestic parole caseload projection

FY	Caseload	% change
2021*	9,198	-10.83%
2022	7,844	-14.72%
2023	7,060	-9.99%
2024	7,892	11.78%
2025	8,749	10.86%
2026	9,370	7.09%
2027	9,940	6.09%
2028	10,391	4.54%

* Actual data provided by Colorado Department of Corrections Monthly Population and Capacity Reports.

Figure 4. Year-end domestic parole caseload, DCJ June 2022 interim and November 2021 parole caseload forecasts

