Summer 2023 Interim Prison Population and Parole Caseload Forecast

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Introduction

The prison population had already begun a period of decline starting in mid-FY 2019, which was accelerated by the COVID-19 pandemic and subsequent actions taken to contain the spread of the virus starting in April of 2020. The steep rate of decline continued through the following 12 months into FY 2021, before leveling and returning to a period of growth in early FY 2022. This growth was expected to continue throughout FY 2023, moderating somewhat in FY 2024 and ensuing years. However, growth slowed greatly in late December 2022, and remained very flat through May 2023.

The pattern of strong growth throughout FY 2023, followed by very slow growth beginning in FY 2024 was expected at the time of the December 2022 DCJ prison population forecast. However, it appears that this period of strong growth may have waned in mid-FY 2023, somewhat sooner than previously anticipated. By the end of the current fiscal year, the prison population is expected to be approximately 2 percent smaller than previously forecast.

This shortfall is mainly due to a decline in the growth of the male prison population. The female population has exhibited stronger growth than anticipated. The proportion of the prison population made up of women had fallen significantly between April 2020 and June 2021. This proportion rose somewhat in the beginning of FY 2022 and remained stable at approximately 8.1% throughout the fiscal year. However, this percentage began to increase by September 2022 and has steadily increased over the following 9 months. Admissions of women have remained strong since July 2021.

Current inmate population forecast

If the growth pattern observed in early June continues, the prison population is predicted to reach approximately 17,100 by the end of FY 2023, realizing an annual growth rate of 4.6% since the end of FY 2022. At the time of the December 2022 forecast the population was expected to increase by 6.9% across the current year. This moderation in growth is restricted to the male prison population, while the female population is expected to realize much stronger growth than previously forecast. The number of women in prison is expected to increase 9.0% by the end of FY 2023, compared to the 4.5% growth forecast in December.

One factor tempering this modification in the forecast is the passage of SB 23-097, which takes effect July 1, 2023. This legislation is expected to increase the length of stay in prison for individuals convicted of motor vehicle theft, and will exert some upward pressure on the prison population beginning in FY 2025 and increasing through FY 2028. It is estimated that approximately 200 individuals will stay in prison somewhat longer than occurred prior to this legislation.

Based on these patterns, along with trends in admissions and releases as discussed below, expectations for the growth of the prison population in upcoming years has been moderated. The total inmate population is expected to reach 21,573 by the end of FY 2029, an increase of 31.8% percent since the end of FY 2022. The number of women in prison is expected to increase 37.4% over the same time frame, reaching 1,825. Table 1 displays the current expectations for the fiscal year-end inmate population for fiscal years 2022 through 2029. This is followed by quarterly inmate population estimates for the same time frame in Table 2. It should be noted that the population at the end of FY 2012 was 21,037, so while there is a prediction of significant growth from recent record lows it should be interpreted in the context of long-term population trends.

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Table 1. DCJ June 2023 interim annual prison population forecast

SFY	Total population	Annual growth	Male	Annual growth	Female	Annual growth
*2022**	*16,361*	*6.01%*	*15,033*	*5.73%*	*1,328*	*9.21%*
2023	17,106	4.55%	15,659	4.16%	1,447	8.96%
2024	17,907	4.68%	16,393	4.69%	1,514	4.65%
2025	18,594	3.83%	17,011	3.77%	1,582	4.50%
2026	19,357	4.11%	17,715	4.14%	1,641	3.74%
2027	20,189	4.30%	18,477	4.30%	1,712	4.30%
2028	20,928	3.66%	19,158	3.69%	1,771	3.42%
2029	21,573	3.08%	19,748	3.08%	1,825	3.08%

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

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Table 2. DCJ June 2023 interim quarterly prison population forecast

SFY	End of month:	Total population	Quarterly growth	Male	Quarterly growth	Female	Quarterly growth
2022	*June 2022**	*16,361*	*2.68%*	*15,033*	*2.70%*	*1,328*	*2.47%*
2023	*September 2022**	*16,743*	*2.33%*	*15,376*	*2.28%*	*1,367*	*2.94%*
	December 2022*	16,942	1.19%	15,540	1.07%	1,402	2.56%
	*March 2023**	16,992	0.30%	15,575	0.23%	1,421	1.36%
	June 2023	17,106	0.67%	15,659	0.54%	1,447	1.83%
2024	September 2023	17,249	1.51%	15,788	0.83%	1,460	0.92%
	December 2023	17,485	1.37%	16,006	1.38%	1,479	1.30%
	March 2024	17,703	1.25%	16,224	1.36%	1,479	0.01%
	June 2024	17,907	1.15%	16,393	1.04%	1,514	2.35%
2025	September 2024	17,972	0.36%	16,451	0.36%	1,520	0.41%
	December 2024	18,231	1.44%	16,690	1.45%	1,540	1.32%
	March 2025	18,428	1.08%	16,861	1.03%	1,566	1.68%
	June 2025	18,594	0.90%	17,011	0.89%	1,582	1.02%
2026	September 2025	18,799	1.11%	17,198	1.10%	1,602	1.23%
	December 2025	18,970	0.90%	17,357	0.93%	1,612	0.67%
	March 2026	19,179	1.10%	17,551	1.11%	1,628	0.98%
	June 2026	19,357	0.93%	17,715	0.94%	1,641	0.81%
2027	September 2026	19,527	0.88%	17,875	0.90%	1,652	0.64%
	December 2026	19,728	1.03%	18,053	0.99%	1,675	1.39%
	March 2027	19,942	1.08%	18,245	1.06%	1,697	1.32%
	June 2027	20,189	1.24%	18,477	1.27%	1,712	0.88%
2028	September 2027	20,345	0.78%	18,624	0.80%	1,721	0.54%
	December 2027	20,575	1.13%	18,828	1.10%	1,747	1.49%
	March 2028	20,819	1.18%	19,053	1.19%	1,765	1.06%
	June 2028	20,928	0.53%	19,158	0.55%	1,771	0.29%
2029	September 2028	21,076	0.71%	19,287	0.67%	1,789	1.06%
	December 2028	21,257	0.86%	19,448	0.84%	1,809	1.10%
	March 2029	21,416	0.75%	19,600	0.78%	1,816	0.39%
	June 2029	21,573	0.73%	19,748	0.75%	1,825	0.49%

Note: Figures reflect the end-of-quarter population. The percent change 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

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*Prison admission*s

Overall admissions to prison have exceeded the numbers expected at the time of the December 2022 forecast. While new court commitments and parole returns with a new crime are expected to be very close to the figures previously estimated, the increase in overall admissions is due to technical parole violations. Admissions of technical parole violators exceeded the previous expectation by approximately 10.0%. This increase in parole violations corresponds with increases in releases to parole, and consequently a larger-than-expected parole caseload. While the overall number of new admissions has been adjusted upward to accommodate this development, the impact on the projected size of the prison population in the future is lessened somewhat, as return to prison for a technical parole violation has a much shorter length of stay in prison, and therefore a lesser impact on the size of future prison populations, than do new court commitments. The projected numbers of annual prison admissions for fiscal years 2023 through 2029 are displayed in Table 3.

Table 3. DCJ June 2023 interim prison population forecast: prison admissions by type

SFY	New court commitments	Parole returns with a new crime	Technical violation returns	Other	Total admissions
*2022**	*4,710*	*792*	*740*	*14*	*6,256*
2023	4,768	817	980	8	6,574
2024	5,123	870	1,024	9	7,026
2025	5,354	921	1,009	10	7,293
2026	5,602	981	1,080	11	7,673
2027	5,810	1,015	1,131	11	7,967
2028	5,960	1,069	1,170	12	8,211
2029	6,096	1,156	1,222	13	8,487

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

Prison Releases

The main factor driving the current adjustment in the prison population forecast falls on the side of releases from prison. Releases to parole have far exceeded the numbers expected at the time of the December 2022 forecast, particularly among discretionary parole releases. By the end of FY 2023, it is anticipated that the number of releases to parole will exceed that expected in the previous forecast by 11.0%. At the time of the December 2022 forecast, it was assumed that parole releases would be hampered by the influx of new court commitments during FY 2022, the majority of which would not be eligible for parole until at least 2024. Additionally, after the surge in discretionary parole releases which occurred in April 2020 in response to the COVID-19 pandemic, both mandatory and discretionary

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releases trended downward through FY 2022. This pattern was a function of the shrinking pool of inmates who would be eligible for parole.

Based on the above, overall parole releases were expected to remain very stable throughout FY 2023, followed by significant increases in FY 2024. However, parole releases began to increase sooner and at a rate not anticipated at the time of the December 2022 forecast, particularly in the case of discretionary releases. The actual number of total parole releases during FY 2023 was 11.0% higher than previously forecast. Therefore, the forecast for prison releases has been adjusted upward, most significantly for the current year, FY 2023. The current projected prison release figures are presented below in Table 4.

Table 4. DCJ June 2022 interim prison population forecast: prison releases by type

SFY	Parole releases			Sentence Discharge	Other	Total Releases
	Mandatory	Discre-tionary	Total			
*2022**	*1,741*	*2,928*	*4,669*	*563*	*103*	*5,335*
2023	1,991	3,129	5,120	663	88	5,871
2024	2,077	3,376	5,454	704	94	6,251
2025	2,151	3,684	5,836	758	100	6,694
2026	2,177	3,930	6,106	797	105	6,999
2027	2,220	4,109	6,329	814	109	7,252
2028	2,280	4,322	6,602	857	114	7,568
2029	2,341	4,559	6,900	893	116	7,909

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

Parole caseload

Due to the increase in parole releases discussed above, the forecast for the domestic parole caseload has been adjusted upward. The caseload declined steadily for the two and half years following a massive expansion which occurred subsequent to the spike in releases in April of 2020, to the lowest figure observed in the past decade in December 2022. This decline was due to increases in early releases from parole, a very large absconder population, and declines in releases to parole as was expected with a reduced prison population.

This pattern of decline leveled beginning in January 2023. While an overall reduction of 7.6% is expected for FY 2023, this is far less than expected at the time of the previous forecast due to the small increases seen between January and May. Strong growth is expected in FY 2024, which is expected to continue though at a more moderate rate in FY 2025 and beyond. The interim parole caseload forecast for FY 2023 through FY 2029 is displayed in Table 5.

It is notable that the absconder population, which doubled shortly after the onset of the COVID-19 pandemic, shows no signs of returning to the levels seen prior to April 2020. As the absconder population increases, the exclusion of this population from the domestic caseload counts serves to reduce the reported caseload size.

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Table 5. DCJ June 2023 interim domestic parole caseload projection

FY	Caseload	% change
*2022**	*7,862*	*-14.52%*
2023	7,268	-7.56%
2024	7,893	8.60%
2025	8,355	5.86%
2026	8,750	4.73%
2027	8,966	2.46%
2028	9,188	2.47%
2029	9,485	3.23%

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

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