Mandatory Parole Subcommittee
Colorado Commission on Criminal and Juvenile Justice

Minutes

September 9, 2015, 9:00AM-Noon
700 Kipling, 4th Floor Training Room, Lakewood

ATTENDEES:

CHAIR
Doug Wilson, Public Defender's Office

TASK FORCE MEMBERS
Joe Morales, Parole Board
Michael Dougherty, Jefferson County District Attorney's office
Christie Donner, Colo. Criminal Justice Reform Coalition
Melissa Roberts for Kellie Wasko, Department of Corrections
James Quinn, Attorney General's Office
Charley Garcia, Colorado Bar Association
Kate Horn-Murphy, Victims Advocate, 17th Judicial District
Norm Mueller, Defense Attorney

ADDITIONAL CONTRIBUTORS
Anne Carter, Parole Board
Linda Harrison, Division of Criminal Justice
Steve Allen, Joint Budget Committee
Landon Gates, Capitol Focus, LLC
Jessica Mardock, Parole Board

STAFF
Paul Herman, CCJJ consultant
Kim English, Division of Criminal Justice
Germaine Miera, Division of Criminal Justice

ABSENT
Daniel Kagan, State Representative, House District #3

Issue/Topic:	Discussion:
Welcome and Introductions	Doug welcomed the subcommittee members and reviewed the agenda. He noted that at the August meeting he presented a new revised proposal option and that Kim, Linda and Anne have been working extensively on data requests related to that proposal. He added that there will be a large amount of data to review at today's meeting.

Issue/Topic:	Discussion:
Data Report Back **Action:**	Kim followed up on Doug's comments and reiterated that a lot of data would be presented during this meeting. She added that she, Linda and Anne will do whatever possible to make the information as clear and understandable as possible. Kim also noted that in the hopes of keeping the information as straight-forward as possible, the data outcomes have been categorized as 'Exhibit 1', 'Exhibit 2', etc. (Exhibits are attached at the end of these minutes) **AUGUST DATA CLARIFICATION / Exhibit 1:** *DISCUSSION POINTS* - Kim explained that the first graph in Exhibit 1 clarifies the differences between DCJ's 66% (COVs) average sentence served and DOC's FY13 Annual Statistical Report, Figure 26 on page 20. - AT the last meeting DCJ reported that an average 66% of the sentence is served by the population of COV offenders, and that 68% of the sentence is served by non-COV offenders. - However, these numbers are different than numbers from the DOC report showing 'Court Commitments Governing Sentence and Time Served in Prison'. - Kim clarified that these two data sets reflect different populations and different time calculations. - The DCJ numbers presented at the August meeting (*Average percent of sentence served – 66/68%*) are indeed accurate and include pretrial jail time credit and habitual offenders, while excluding sex offenders, life sentences, and pre-1993 sentences. - DOC's numbers (*Average percent of time served in DOC facilities*) excludes pretrial jail time credit and separate out habituals and lifetime sex offenders into different categories. - Time served back on a revocation is NOT included in either set of numbers. - Kim went on to explain another series of charts titled 'Recidivism Crimes of Prison Releases from 2008-2010 by CARAS Risk Group. - The first chart shows felony and misdemeanor crimes committed over a five year period by very low and low risk people as defined by CARAS. - The chart shows 1,684 low and very low released people committing new crime.

- This low and very low group was more likely to commit misdemeanors.
- The next chart shows the medium risk group – which has a larger sample size of 2,710 people.
- As with the low/very low group, the medium risk folks still has more misdemeanors overall, and shows a slight increase on felonies.
- The third chart in this series displays higher risk groups (high/very high risk) and there are more people in this group (9,040) and more serious crimes.
- 56% of the population falls into the high and very high risk group. It's the largest group – they're more likely to commit felonies and they tend to do it early.
- The next series of three charts shows crime categories by CARAS risk level (again – low/medium/high) for a variety of crimes including drugs, escape, domestic violence (DV), property and violent crimes.
- The Domestic Violence (DV) category includes arrests or filings flagged as domestic violence.
- The 'Violent' category includes, in addition to other violent crimes, sexual crimes including hands-off sex offenses.
- The 'other' category includes felony and misdemeanor traffic violations, along with other crimes.
- Question: What about 'inchoate' crimes? Unlabeled inchoates aren't that common in the data set.

AUGUST DATA REQUESTS- Percent of sentence served by felony class/Exhibit 2:
DISCUSSION POINTS
- Kim explained that the three tables included in Exhibit 2 represent DOC Releases FY2012 through FY2014 (n=14,878).
- The numbers exclude sex offenders, life numbers.
- She explained that the first table shows % of sentence served for COVs at 66% (first column) and non-COVs at 68% (second column).
- The second table shows Average Governing Sentence in terms of months for COV non-COV.
- The third table shows Average Months Served.

AUGUST DATA REQUESTS- Average length of time on parole by CARAS risk level and felony class/Exhibit 3:
DISCUSSION POINTS
- Kim explained that this page shows the average length of stay on parole in months, and the average % of statutory parole period served.
- The first table shows LOS on parole in months and the 'total' column shows where people are spending time (months). The second table to the right is the percentage of the parole period served – and it shows 68% of statutory parole period on average is what is being served.
- Once someone is released from parole the 'inmate' clock stops and the 'parole' clock starts.
- THEREFORE - If someone is returned to DOC the 'parole' clock is going, so they can spend a portion of parole in DOC.
- These numbers tell us parole time served, this does not tell us amount of time on parole in the community.

AUGUST DATA REQUESTS- Impact on parole and prison populations with shorter parole periods, dependent on CARAS/Exhibit 4:
DISCUSSION POINTS

- Kim explained that the proposal currently on the table aims to shorten the parole period, which would include time back in the institution.
- Current estimates are that 4.3 million days are served on parole. With this new proposal that estimate drops by 74% to 1.1 million days served on parole.
- Kim points to a graph on page 12 which shows what the impact would look like as far as Parole Caseload Impact.
- Linda also ran the number on the estimated impact on the prison population if parole periods were reduced as proposed and that information was presented on a Prison Population Impact graph.
- With this proposed scenario there would be maximum impact on the parole population, with minimum impact on prison population.
- Question - Why is there such a low impact on the prison population considering all the technical revocation violations that feed the prison population?
- 47% of prison admissions are for technical violations. Even with shorter parole periods, the majority of people are revoked in first six months will go back anyway. There's not a lot of impact because they're getting revoked early. The survivability table is skewed in the first six months.
- This subcommittee also needs to consider where exactly savings could be allocated for offender services. It would be beneficial to have a cost analysis of the 4.3 million days vs. the 1.1 million days. This has to be a huge cost savings.
- Data handout Page 12 CORRECTION: Regarding Prison Impact table - 36% of parolees DO NOT currently return to prison for a TV (ultimately). Well over half of people on parole are returned to prison.
- 36% of parolees do not return for technical, the remainder of the parolee population is either returned for a technical violation or a new crime. – Note that there is a mis-statement on page 12 that 36% of individuals return; it should say that 36% DO NOT return for technical violations.
- Linda clarified that projections are based on what we know, including expected TVs.
- The total return to prison rate is 47%.
- If there is going to be any impact on the population, parole needs to address technical violations and the return to prison.
- The high risk populations are getting revoked within six months of release.
- The length of parole has become mute if we're capturing 82% in the first six months to 2 years.
- The Dept. of Corrections dashboard measure on admissions shows that in March 2014 there were 449 new court commitments, 368 parole returns and 50 parole returns for new convictions. In June 2015 there were 483 new court commitments, 264 technical parole returns and 62 parole returns with new convictions.
- The combination of technical and new crimes returning to DOC is now

	less than 50%. • Steve Allen added that (after doing some rough calculations) projected prison savings based on Exhibit 4 could be $5.3 million in FY16. • He added that this is based on average estimated costs in FY16 for Parole at $23 million. • This is a very rough estimate with DOC using marginal cost numbers. It could end up being half that. • This is just FY16.

Issue/Topic:	Discussion:
New Proposal: 75% / 50% **Action:**	Kim continued the data report back discussion, but with a focus on data as it pertains to the proposed 75% / 50% scenario. **75% / 50% Scenario. Impact on prison populations with adjustment to time served/Exhibit 5:** *DISCUSSION POINTS* • Kim directed the subcommittee member's attention to Exhibit 5. • She reminded that group that Doug's original proposal was 66% / 33% - but at the last meeting the group felt 75% / 50% would likely gain more traction with stakeholders. • Linda ran new numbers on the new proposal at 75% and 50%. • The Exhibit 5 graph presented is based on the proposal of 75% of a sentence to be served by those with a COV and 50% of a sentence served by those with a non-COV. • The Exhibit 5 scenario factors in **no change in current parole time**. • Kim noted that this scenario would allow for stabilization of the prison population. • With this scenario, more time would be served by those with a COV, and less time would be served by those with a non-COV. • Under this scenario there would still be a decrease in prison population. • What we would get with this proposal is **clarity**. It allows clarity and stabilizes the prison population. • This scenario would also mean getting rid of the PED; the parole board would still set conditions of parole and decide on revocations. • This proposal of 75/50 does not include changing parole period. • Current DCJ prison population projections for FY2021 are at 23,934 – under this scenario those projected numbers fall to 21,680. • Kim added that while this change in numbers may not seem as significant as it should – it takes a lot to change the prison population. So this scenario simply moderates the increase. • She added that there could be more impact, but that's masked by other factors that continue to push the population up. • While Exhibit 5 shows the outcomes of implementing only part of the proposed scenario, the Exhibit 6 information includes all changes in the proposal.

75% / 50% Scenario. Impact on prison populations with adjustment to time served AND parole terms based on CARAS/Exhibit 6:
DISCUSSION POINTS

- Kim clarified that regardless of which version of the scenario may be put into place, there will not be much impact on the prison population. However, there would be a significant impact on parole with the inclusion of the element to change parole terms based on CARAS.
- Question - Would this impact sentencing policies of judges if we passed a change of no parole eligibility date? No – judges are not that in tune, they already think people are serving 50%.
- Michael noted that this will impact pleas and filings by prosecutors.
- There may be positive feedback on all levels if money is diverted to better supervision and supervision ratios.
- What about taking the earned time carrot away from DOC? The dynamic of earned time is significant.
- Earned time defeats the issue of clarity, so we need to find a different balance.
- Christie offered that earned time could be in effect with people sentenced to 75-100%, based on earned time. However this makes it less clear than a straight 75%.
- Melissa shared that when there were sentencing changes in Wisconsin, there was an assumption that judges would change their patterns of sentencing with truth-in-sentencing, but they didn't.
- Doug asked if (going back to Exhibit 4) the group wanted to modify the risk based parole periods.
- Charley made a motion to adopt the risk-based parole periods.
- Kate said she's not sure about that approach.
- Question - What does it mean to adopt a risk-based parole model? Exhibit 3 shows the average length of stay on parole doesn't equate to five years, but rather to an overall average of 28.5 months.
- Question – Does Doug's proposal of 6 months on parole really equate to 3 months? Are the new parole periods NOT changed by earned time?
- Current parole periods are affected by earned time.
- Charley made a motion for no earned time reduction on the proposed risk-based parole periods.
- Joe seconded Charley's motion.
- 'Break-offs' for risk level in the scenario are tied to CARAS, but DOC uses a different instrument after release.
- CARAS is valuable because it's not dynamic, and the parole period is not going to be dynamic.
- CARAS predicts very well. The LSI is not as predictive as CARAS because it is dynamic.
- Could we reframe the use of the LSI as a needs instrument – and the supervision level won't be necessarily impacted by CARAS.
- LSI is a moderate-to-good predictor of re-offense, it's more of a measure of how needs relate to re-offense.
- CARAS is an **actuarial risk tool**, it is a more powerful predictor than the LSI.

	• Just because someone is very low risk, they might be very high need.
	• Other than treatment dosage, a time period is not supported by any research.
	• If we take away earned time on parole we would also have to change a statute.
	• Doug proposed that the subcommittee continue to think about exhibit 4, 5, and 6 for the next meeting.
	• Is there any way to get a monetary 'guess-timate' on Exhibits 4, 5 and 6 if they were adopted?
	• Steve Allen said he can work on this.
	• Melissa asked if it's possible to consider not just looking at risk only, but looking at risk and need? The parole guidelines report may have this info.
	• Kate asked what factors allow the 36% to succeed. What programs help facilitate success? Kim responded that the criminology literature shows that success is tied to strong social support and employment.
	• Kate then asked what needs to be in place for sustainability of success.
	• The data is clear that if someone doesn't have a place to live and a job, nothing else matters with programming.
	• Michael listed 3 things that he feels need to be addressed:
	-First, he wouldn't want to vote for shorter parole terms if there's no funding for extra services.
	-Second, earned time and comm. corr. needs to be addressed. We don't want to pass 75/50% just to get it changed immediately. So we need to incorporate a solution for these items.
	-Third, is the funding piece, which is incredibly important when looking at corrections/parole?
	• Paul asked if there are certain areas of agreement.
	• The group listed 'Issues' that need to be addressed to move forward:
	  1. Earned time
	  2. Community corrections / who, what, when – and- outcomes vs. straight release to community
	  3. Is this recommendation a package only? Is 1 (time to parole 75/50%) married to 2 (shortened parole periods). Or could there be elements?
	  4. Is earned time factored in?
	  5. $ and funding – how much exactly and where do savings go specifically?
	  6. Can we see a snapshot of the current population and how that would look under the 75/50%? ***-Further discussion is necessary before proceeding with a data analysis-***
	• If we go to 75/50% model can we take a snapshot of the current population, what does that look like? How would what we have today compare with what we would have on the proposal? Can we isolate the current day? Essentially this is what the comparison to the projection line is in the graphs.
	• Clarifying question – Even though we're talking about doing away with discretionary parole, the parole board never goes away. That is correct. The parole board would need to see the current prison population, set conditions, and consider revocations.

- Sentence, minus earned time, that's your date. Shortened parole period with no earned time for parole period.
- How would we deal with the referral to comm. corr.?
- This would involve tweaking of earned time, COV's would not get as much earned time.
- Doug summarized the three ways to move forward with the proposal:
  1 – reducing sentence lengths to 75/50 / a stand-alone element
  2 – reduce periods of parole/ a stand-alone element
- 3 – combine elements one and two (exhibits 4, 5, 6)
- Michael offers that these can be viewed as individual elements and voted on as such. If we're shortening the periods of parole, how we provide for them matters.
- Alternatively, these need to be combined.
- It's more compelling if driving reform that we divert funds allocated to appropriate services.
- Kate added that we need specificity on what to do with cost savings.
- Christie asked if people transition through comm. corr. as an inmate, do they do better. Do they have higher success?
- Kim responded that that this is a complex analysis. You would have to match the populations and compare those who go through comm.cor. with those who go on parole and those who discharge.
- Michael asks if earned time will still be factored in or not, and if not, what is DOC's position on that issue.
- Comm. corr. Eligibility is currently based on time, not on need, risk, etc.
- The big question about comm. corr. is does it even makes sense? Is comm. corr. worth its bang for the buck? Is it money well spent?
- DOC would prefer at least some time in comm. corr. on the way out.

Issue/Topic:	Discussion:
Statutory Modifications **Action:**	Paul reminded the subcommittee that another issue that this group agreed needed to be addressed was the statutory definition of the purpose of parole. *DISCUSSION POINTS* • Paul directed the subcommittee's attention to a one pager titled: The Purpose of Parole. • The current purpose of parole has three elements, with the first purpose being to 'punish' an offender. • The consensus of earlier conversations by this subcommittee was that parole should not be about punishment. • Paul said he looked at the parole statutes from other states and organizations and created a new proposed definition that better fits what this group expressed the purpose of parole should look like. • Melissa offered one edit: on the first bullet change the verbiage to 'returned to the community' rather than released to the community. • Kim question on bullet #2 - what is meant by reducing impact? If we

decrease incidence of crime you accordingly do the other.
- Charley stated that this revision focuses solely on the expectations of the system but that there are no expectations of the parolee.
- Paul said that can be fixed by providing verbiage of 'motivated offenders' to the fourth bullet.
- The point of parole is to provide the opportunity, that's what bullet #4 addresses.
- Can there be an added element along the lines of 'Comply with the obligation of the parole agreement' or 'Comply with the obligations of their release'.
- Paul said he will revise this and send it out.
- Looking at the elements in statute now there are a plethora of things that the board should consider - so it may be worthy of future discussion.
- The other thing this group talked about was looking at the conditions, however, the Re-entry Task Force has a small group that is looking at conditions, so let's pass this work onto them.

Issue/Topic:	Discussion:

Adjourn and Next Steps
 	
Issue/Topic:
	The subcommittee is on a fairly tight timeline if they're hoping for a proposed recommendation for the 2016 legislative session. With that in mind the group agreed to add another meeting between now and the October meeting. The group will meet Tuesday, September 29th from 9am – Noon. The group will also still meet on October 5th.
	
	For the September 29th meeting:
	• Doug proposed that the subcommittee continue to think about exhibit 4, 5, and 6 for the next meeting.
	• Steve Allen said he will work on an estimate for cost savings on exhibits 4, 5 and 6
	• Paul will revise the proposed 'Purpose of parole' verbiage and send it to subcommittee members before the next meeting.
	• The group listed the following 'Issues' that need to be addressed to move forward:
	    1- Earned time included toward release to parole
	    2- Community corrections / who, what, when – and- outcomes vs. straight release to community
	    3- Is this recommendation a package only? Is 1 (time to parole 75/50%) married to 2 (shortened parole periods). Or could there be elements?
	    4- Is earned time factored into parole period?
	    5- $ and funding – how much exactly and where do savings go specifically?
	    6- Can we see a snapshot of the current population and how that would look under the 75/50%? *-Further discussion is necessary before proceeding with a data analysis-*

Upcoming Meetings

September 29th, (Tuesday) 9:00 am – Noon   1300 Broadway, Conference Room #1E
October 5th, (Monday) 1:30 pm – 4:30 pm   1300 Broadway, Conference Room #1E

EXHIBIT 1

Differences between DCJ's 66% (COVs) and 68% (non-COVs) *average sentence served* and DOC's FY13 Annual Statistical Report, Figure 26 on page 20 (see following page).

DOC Report	DCJ Analysis
• Focus: *average % time served in DOC facilities*	• Focus: *average % of sentence served*
• Excluded pretrial jail time credit	• Included pretrial jail time credit
• Separated out habituals and lifetime sex offenders into separate categories	• Included habitual offenders
	• Excluded sex offenders, life sentences, and pre-1993 sentences

RELEASES

The majority of inmates release from state prisons to parole. Approximately 16% successfully transition from prison to parole via community corrections and/or ISP inmate status. More offenders released from private prisons in FY 2013 than in previous years; this is due to a large number (703) of releases directly from Cheyenne Mountain Reentry Center. Approximately 7% either return to parole or discharge their sentence from a return to custody facility. Inmates sentenced in Colorado who are under the supervision of other jurisdictions are reported in "Other." Other jurisdictions may include the Colorado Mental Health Institute at Pueblo (CMHIP), other state facilities, dual commitments to interstate compact and Colorado, and the federal system.

TIME SERVED IN PRISON

Time served in prison relative to governing sentence was analyzed for prison releases. The **governing sentence** represents the original sentence to incarceration, including consecutive terms for multiple sentences; the parole sentence for technical parole returns serving a mandatory parole period; and the combined governing sentence, including the parole sentence plus new conviction sentences for parole returns with new sentences to incarceration. The broad presumptive sentencing ranges, combined with enhanced sentencing and concurrent versus consecutive sentencing provisions, create vast disparities within each crime category and felony class. **Time served in prison** does not include time previously served in prison, time credits awarded for probation or diversionary programs, jail credits, and presentence confinement awards; however, time spent in county jail (backlog) waiting for prison bed space after sentencing is included as time served in prison.

A narrow definition was used to best represent the amount of time that newly sentenced inmates might spend in prison. Only court commitments that released to parole or discharged their sentence were included in the comparison (see Figure 26). Governing sentences and imprisonment time clearly increases with felony class. Habitual offenders and lifetime supervision sex offenders also serve lengthy sentences, with habitual offenders serving about the same amount of time as class 2 felons and lifetime sex offenders serving slightly more than class 3 felons. It should be noted that many offenders in the lower felony class ranges (i.e., class 5 and 6) may have first been sentenced to probation or diversion, but were resentenced to serve a term of imprisonment due to technical violations or new crimes.

FIGURE 26
Court Commitments Governing Sentence and Time Served in Prison (N = 5,516)

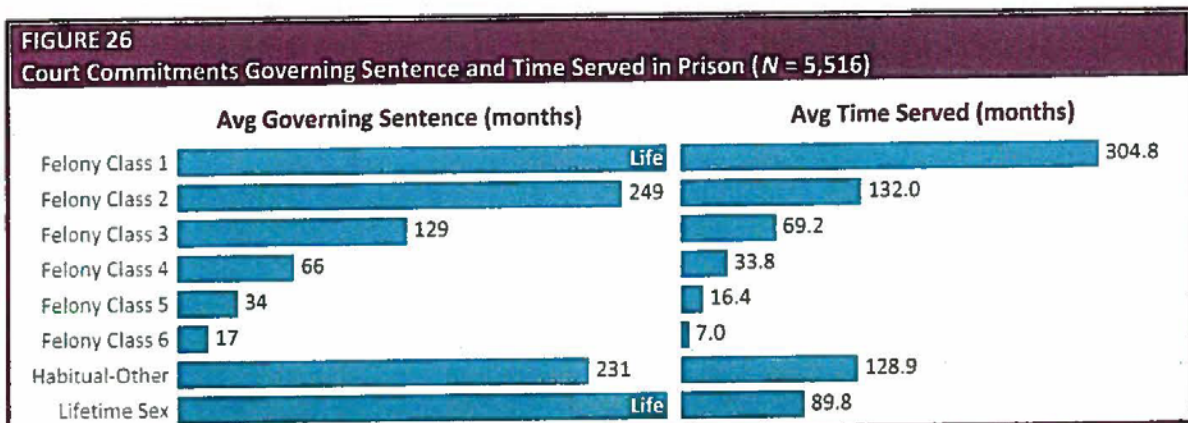|	Avg Governing Sentence (months)	Avg Time Served (months)
Felony Class 1	Life	304.8
Felony Class 2	249	132.0
Felony Class 3	129	69.2
Felony Class 4	66	33.8
Felony Class 5	34	16.4
Felony Class 6	17	7.0
Habitual-Other	231	128.9
Lifetime Sex	Life	89.8

Figure note. Data is based on new commitments who released to parole or discharged their sentence. Time served only includes prison time served from admission to release date.

CHARTS

Recidivism Crimes of Prison Releases from 2008-2010 by CARAS Risk Group

FELONY/MISDEMEANOR

Very Low/Low Risk Group (N=1,684)
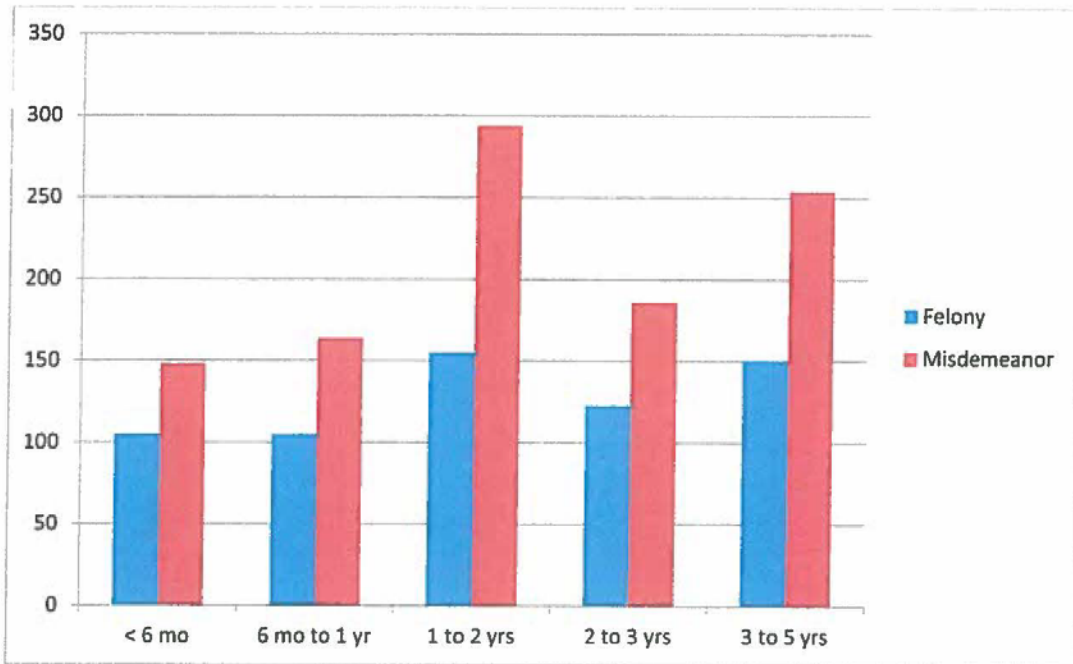
Data sources: Court records were extracted from Judicial Branch's Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ/ORS. Excludes Denver County court records.

CHARTS

Medium Risk Group (N=2,710)

Data sources: Court records were extracted from Judicial Branch's Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ/ORS. Excludes Denver County court records.

CHARTS

High/Very High Risk Group (N=9,040)

Data sources: Court records were extracted from Judicial Branch's Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ/ORS. Excludes Denver County court records.
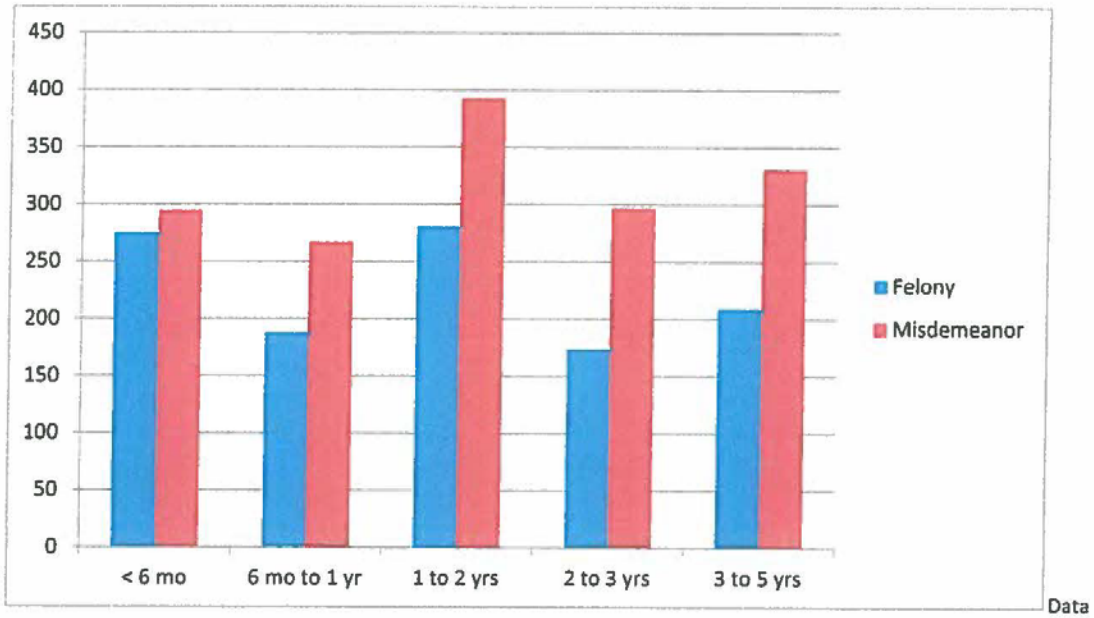
CHARTS

CRIME CATEGORIES

Very Low/Low Risk Group (N=1,692)

Data sources: Court records were extracted from Judicial Branch's Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ/ORS. Excludes Denver County court records. Domestic violence arrests extracted from Colorado Bureau of Investigation (CBI) criminal history, and do include Denver county.

Notes:
- Domestic Violence (DV) includes arrests or filings flagged as domestic violence.
- Violent includes, in addition to other violent crimes, sexual crimes including hands-off sex offenses.
- Other includes felony and misdemeanor traffic violations, along with other crimes.
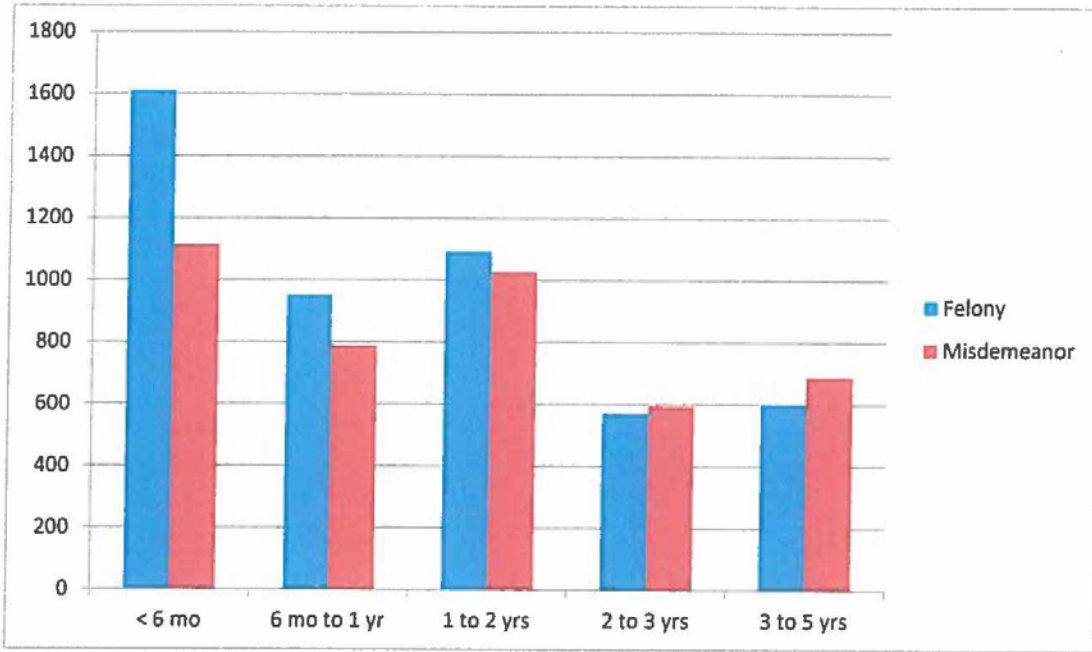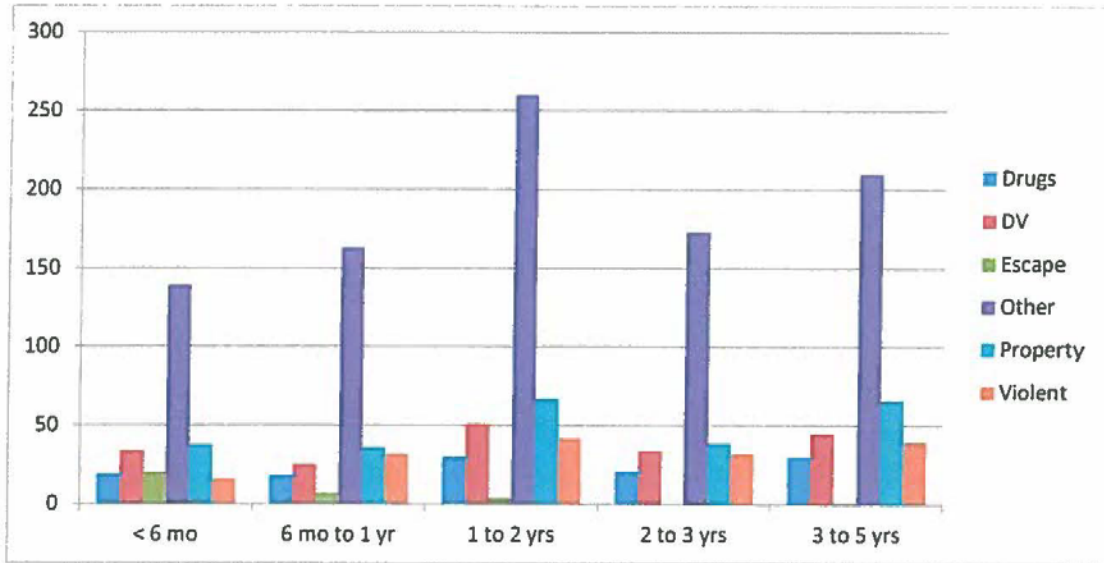
CHARTS

Medium Risk Group (N=2,724)

Data sources: Court records were extracted from Judicial Branch's Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ/ORS. Excludes Denver County court records. Domestic violence arrests extracted from Colorado Bureau of Investigation (CBI) criminal history, and do include Denver county.

Notes:
- Domestic Violence (DV) includes arrests or filings flagged as domestic violence.
- Violent includes, in addition to other violent crimes, sexual crimes including hands-off sex offenses.
- Other includes felony and misdemeanor traffic violations, along with other crimes.

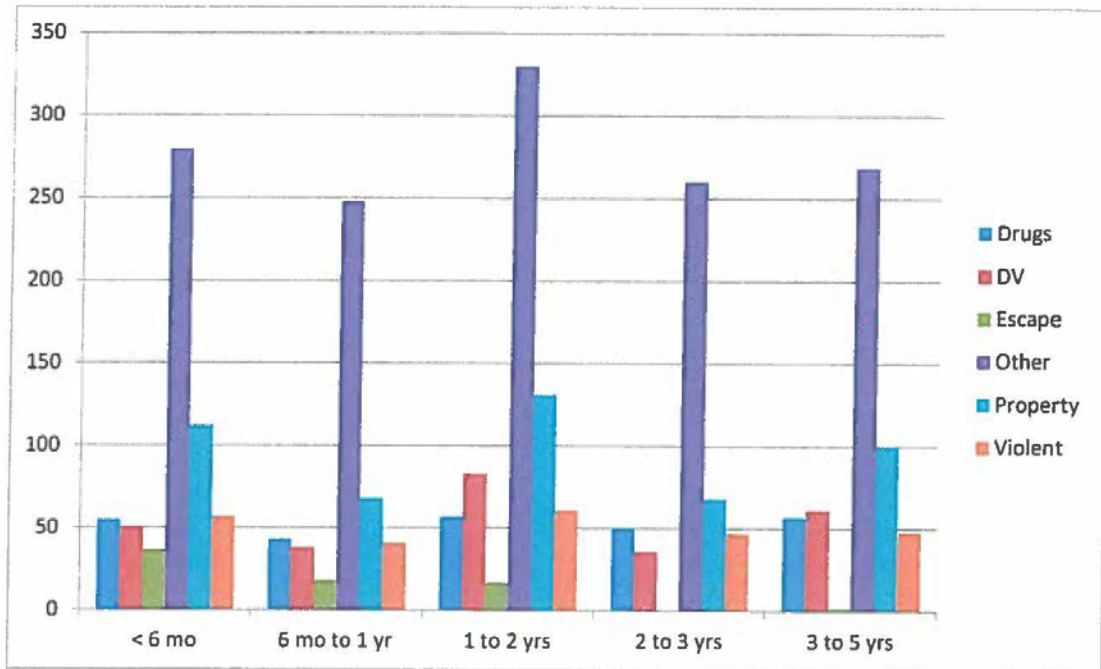## CHARTS

High Risk Group (N=9,071)
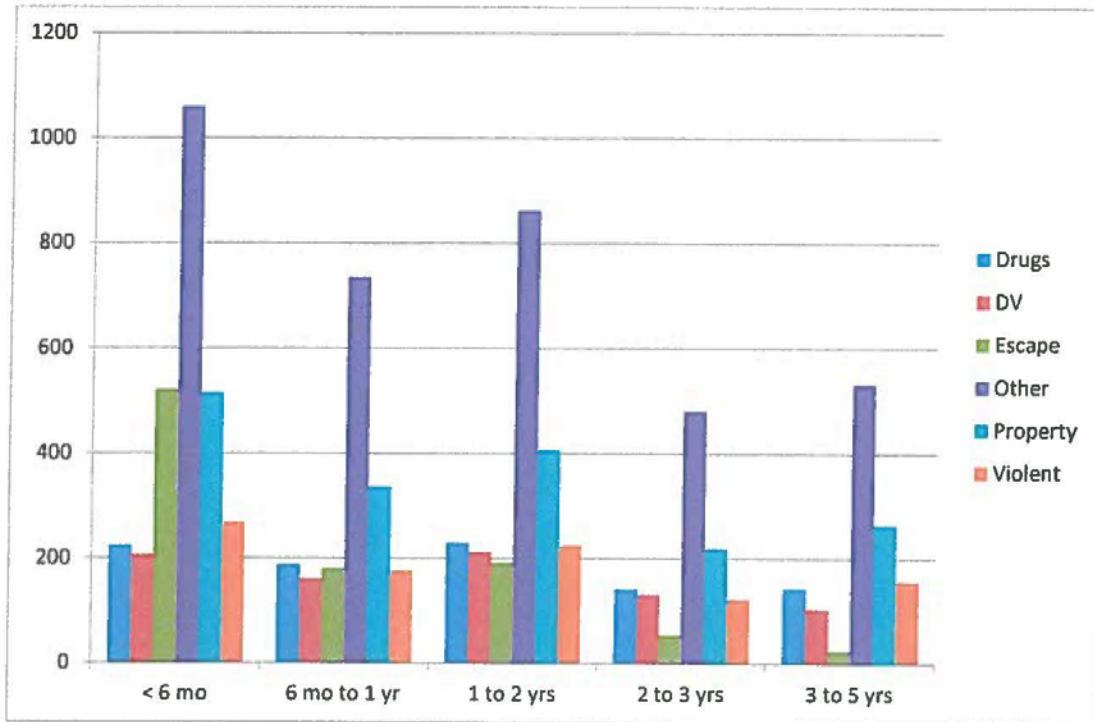
Data sources: Court records were extracted from Judicial Branch's Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ/ORS. Excludes Denver County court records. Domestic violence arrests extracted from Colorado Bureau of Investigation (CBI) criminal history, and do include Denver county.

Notes:
- Domestic Violence (DV) includes arrests or filings flagged as domestic violence.
- Violent includes, in addition to other violent crimes, sexual crimes including hands-off sex offenses. Other includes felony and misdemeanor traffic violations, along with other crimes.

EXHIBIT 2

Percentage of sentence served by Felony Class

DOC Releases FY2012 through FY 2014 (n=14,878)

Excluded: Sex offenders, Life, pre-1993 sentences

Percentage served

Felony Class	COV*	Non-COV	TOTAL
2	68.7% (29)	57.1% (262)	58.2% (291)
3	65.3% (100)	60.5% (2,436)	60.5% (2,536)
4	66.5% (76)	67.3% (5,539)	67.3% (5,615)
5	68.5%(12)	71.4% (3,797)	71.4% (3,809)
6	77.8% (1)	71.6% (2,617)	71.6% (2,618)
Drug 4		58.5% (6)	58.4% (6)
TOTAL	66.4% (218)	67.8% (14,660)	67.8% (14,878)

*Identified with a Crime of Violence per C.R.S 18-1.3-406.

Average Governing Sentence (Months)

Felony Class	COV*	Non-COV	Total
2	305	202	213
3	217	110	115
4	108	61	61
5	44	32	32
6	48	18	18
D	-	8	8
Total	180	56	58

Average Months Served

Felony Class	COV*	Non-COV	Total
2	202	114	123
3	134	66	69
4	69	41	41
5	33	23	23
6	37	13	13
D		5	5
Total	115	37	38

Prepared by DCJ/ORS in collaboration with Anne Carter/Parole Board   September 2015
For the CCJJ Mandatory Parole Task Force

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EXHIBIT 3

Average length of time on parole by felony class and CARAS risk category

Average length of stay and Average amount of parole period served by Felony class and CARAS risk level

Average Length of Stay on Parole (in Months)

Felony class	Very Low/Low	Medium	High/Very High	Total	N
2	40.41	33.22	35.68	37.41	251
3	35.92	33.50	37.64	36.01	1,135
4	27.62	25.58	26.17	26.73	1,906
5	14.85	14.41	15.56	15.00	1,051
6	9.04	9.37	9.50	9.25	361
Total	26.56	22.79	25.40	25.58	4,704
N	2,371	755	1,576		

Average % of Statutory Parole Period served

Felony class	Very Low/Low	Medium	High/Very High	Total	N
2	57%	55%	69%	62%	251
3	60%	56%	63%	62%	1,135
4	77%	71%	73%	74%	1,906
5	62%	60%	65%	63%	1,051
6	75%	78%	79%	77%	361
Total	69%	65%	69%	68%	4,704
N	2,371	755	1,578		

Felony Class	Statutory Parole Periods (in Months)
2	60
3	60
4	36
5	24
6	12

Overall averages across all felony classes and risk levels

Avg. Parole LOS (in Months)	25.58
Avg. % Statutory Parole Period Served	68%

- Data includes parole LOS for offenders who completed their parole periods during Fiscal Year 2014. Includes all parolees completing parole, regardless of revocation status for technical violations of parole, i.e. includes those who were revoked during the parole period to DOC for a technical parole violation(s).

- DOES NOT include the following: parole absconders/escapees at any time during the parole period, those who died while serving their parole periods, and parole returns for new felony convictions, interstate parolees, offenders with life type sentences.

- CARAS score included is the most recent score at the time of release to parole.

Note: Figures include all months applied to each parolee's term of parole, which may include time spent in prison following a revocation due to a technical violation.

Prepared by DCJ/ORS in collaboration with Anne Carter/Parole Board   September 2015
For the CCJJ Mandatory Parole Task Force

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EXHIBIT 4

Impact on the parole and prison populations with shorter parole periods determined by CARAS

Proposal:

COV (1.7% of releases)
Very low/low = 6 months
Medium = 1 year
High/Very high= 2 years

Non-COV (98.3% of releases)
Very low/low=6 months
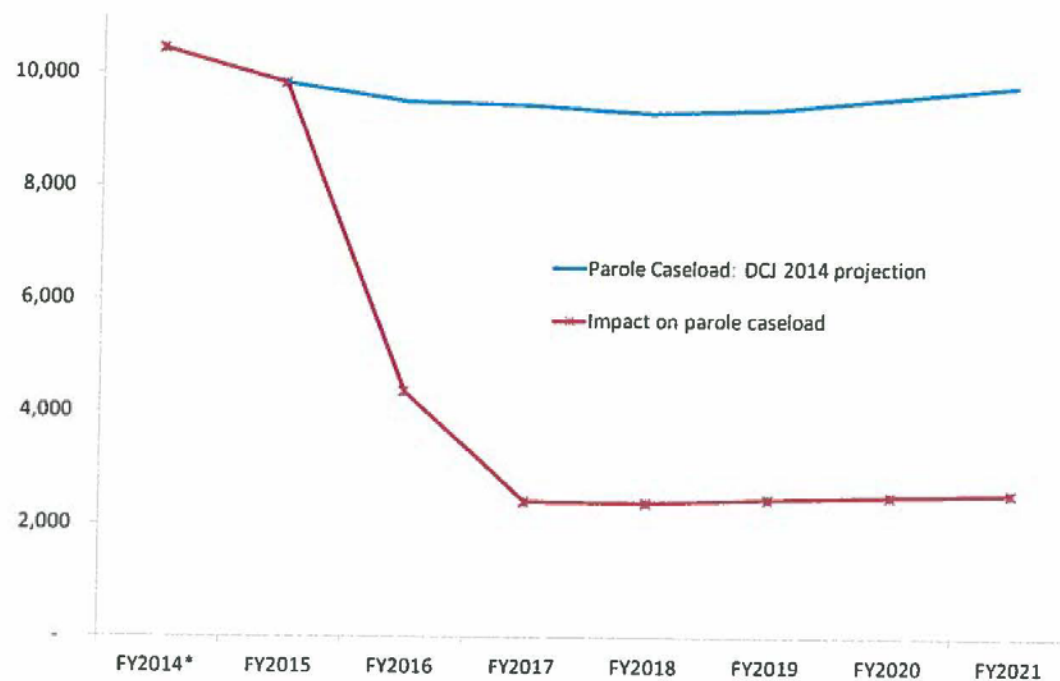*Med/High/Very high= 1 year*

FY14 parole terminations (including those from inmate status) (n=5,157)

- Current estimate: 4,311,603 DAYS expected to be served on parole
- Proposal estimate: 1,117,254 DAYS expected to be served on parole
   - 74% average reduction in parole days to be served
   - Approximately 920 (18% of TV returns) fewer people return to DOC
- 2014 parole population = 10,432
- 2021 parole population =   2,554
- 74% reduction in caseload realized within 3 years

Parole caseload impact

	DCJ 2014 projection	% change	New Caseload	% change	Change from DCJ 2014 projection
FY2014*	10,432	-8.70%	10,432	87.0%	-
FY2015	9,819	-5.87%	9,819	-5.9%	0.0%
FY2016	9,499	-3.26%	4,354	-55.7%	54.2%
FY2017	9,442	-0.60%	2,399	-44.9%	74.6%
FY2018	9,306	-1.44%	2,380	-0.8%	74.4%
FY2019	9,374	0.73%	2,447	2.8%	73.9%
FY2020	9,590	2.30%	2,501	2.2%	73.9%
FY2021	9,791	2.10%	2,554	2.1%	73.9%

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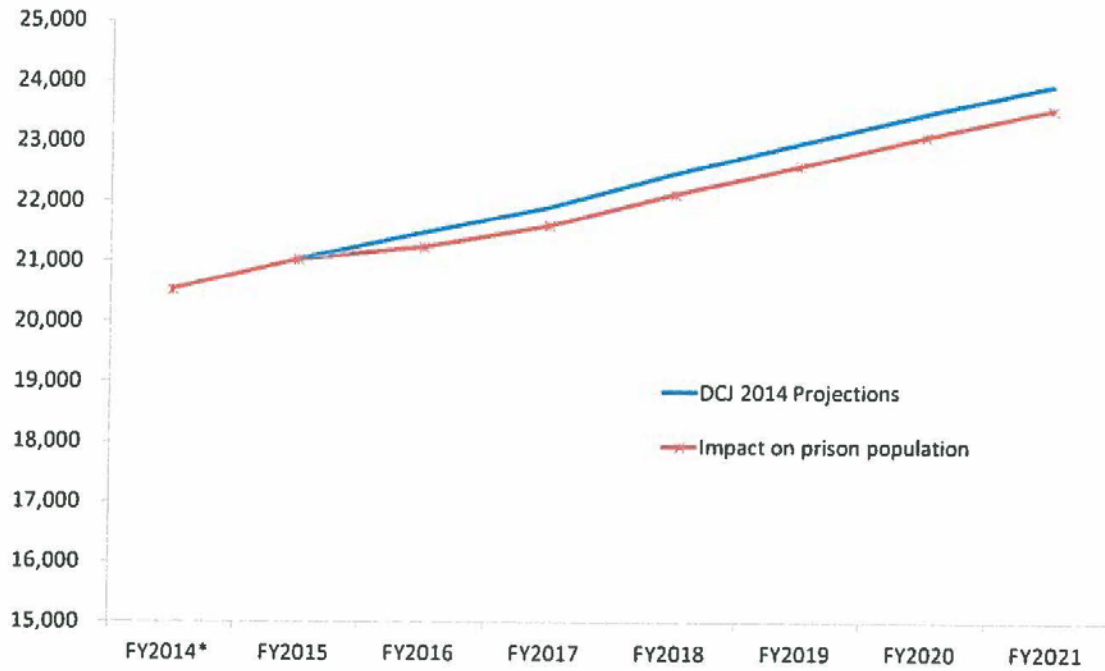
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PAROLE CASELOAD IMPACT

* Actual EOFY parole caseload

PRISON IMPACT

- 36% of parolees currently return on technical violation
- 82% of technical violations will occur within new parole term
- 18% will occur beyond new parole term completion
- Minimal impact on prison population

	DCJ 2014 Projection	% change	New population	% Change	Change from DCJ 2014 projection
FY2014*	20,522	1.9%	20,522	1.9%	-
FY2015	21,026	2.5%	21,026	2.5%	0.0%
FY2016	21,478	2.2%	21,235	1.0%	-1.1%
FY2017	21,903	2.0%	21,600	1.7%	-1.4%
FY2018	22,466	2.6%	22,126	2.4%	-1.5%
FY2019	22,970	2.2%	22,599	2.1%	-1.6%
FY2020	23,478	2.2%	23,091	2.2%	-1.6%
FY2021	23,934	1.9%	23,533	1.9%	-1.7%

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PRISON POPULATION IMPACT

* Actual EOFY prison population

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EXHIBIT 5

Impact on prison populations with adjustments to time served
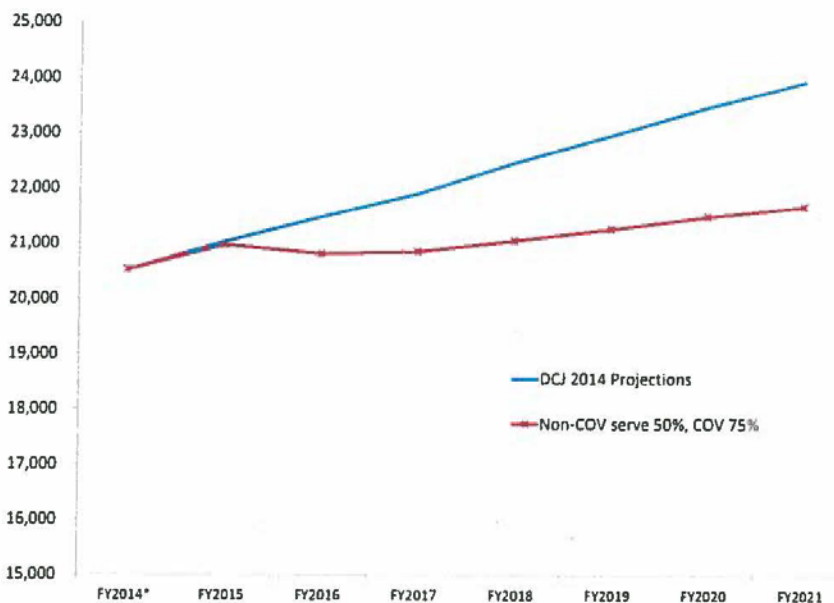
Proposal:

75% of sentence served by COVs; 50% of sentence served by non-COVs (no change in parole periods)
(Excludes sex offenders, pre-'93 sentences, life sentences)

Prison Population:
        FY2014 = 20,522
        FY 2021 = 21,680

	DCJ 2014 Projections	% Change	New proposal	% Change	Reduction from DCJ 2014
FY2014*	20,522	1.92%	20,522	1.9%	-
FY2015	21,026	2.46%	20,971	2.2%	-0.3%
FY2016	21,478	2.15%	20,811	-0.8%	-3.1%
FY2017	21,903	1.98%	20,854	0.2%	-4.8%
FY2018	22,466	2.57%	21,053	1.0%	-6.3%
FY2019	22,970	2.24%	21,267	1.0%	-7.4%
FY2020	23,478	2.21%	21,495	1.1%	-8.4%
FY2021	23,934	1.94%	21,680	0.9%	-9.4%

* Actual EOFY prison population
Note: Assumes no sentence modification for sex offenders, pre-1993 sentences, life sentences.

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EXHIBIT 6

Impact on prison population with adjustments to time served and parole terms based on CARAS

Proposal:

75% of prison sentence served by COVs; 50% of sentence served by non-COVs (Excludes sex offenders, pre-'93 sentences, life sentences) and parole terms shortened
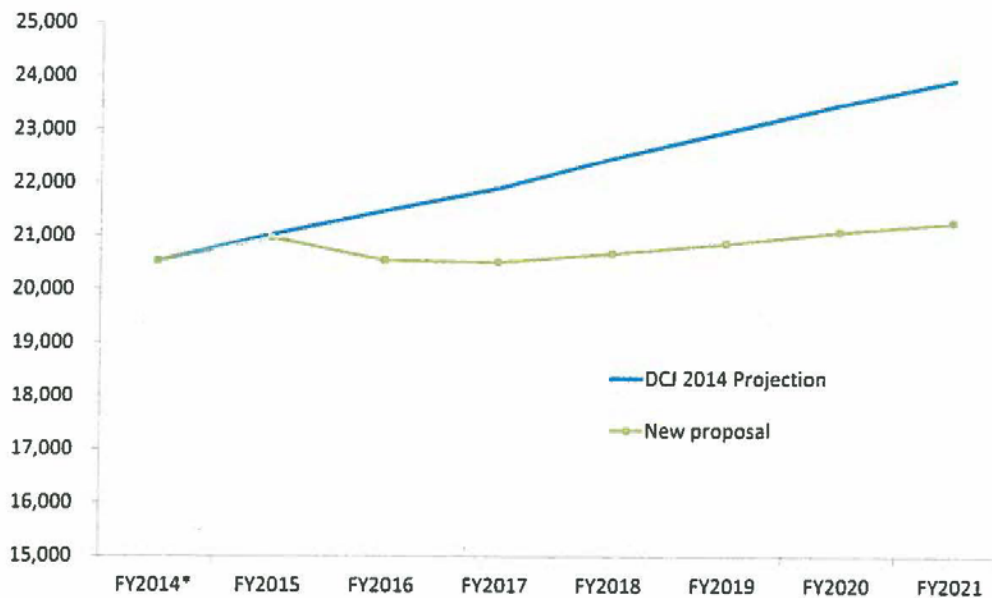
<u>COV (1.7% of releases)</u>   <u>Non-COV (98.3% of releases)</u>
Very low/low = 6 months   *Very low/low=6 months*
Medium = 1 year   *Med/High/Very high= 1 year*
High/Very high= 2 years

	DCJ 2014 Projections	% Change	New Proposal	% Change	Reduction from DCJ 2014
FY2014*	20,522	1.9%	20,522	1.92%	-
FY2015	21,026	2.5%	20,971	2.19%	-0.3%
FY2016	21,478	2.2%	20,547	-2.02%	-4.3%
FY2017	21,903	2.0%	20,513	-0.16%	-6.3%
FY2018	22,466	2.6%	20,679	0.81%	-8.0%
FY2019	22,970	2.2%	20,869	0.92%	-9.1%
FY2020	23,478	2.2%	21,087	1.04%	-10.2%
FY2021	23,934	1.9%	21,261	0.83%	-11.2%

* Actual DOC population

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EXHIBIT 1

Differences between DCJ's 66% (COVs) and 68% (non-COVs) *average sentence served* and DOC's FY13 Annual Statistical Report, Figure 26 on page 20 (see following page).

DOC Report	DCJ Analysis
• Focus: *average % time served in DOC facilities*	• Focus: *average % of sentence served*
• Excluded pretrial jail time credit	• Included pretrial jail time credit
• Separated out habituals and lifetime sex offenders into separate categories	• Included habitual offenders
	• Excluded sex offenders, life sentences, and pre-1993 sentences