

Presentation to the Interim Study Committee Regarding Comprehensive Sentencing Reform in the Criminal Justice System

What is driving the increase in the state prison population?

July 11, 2017

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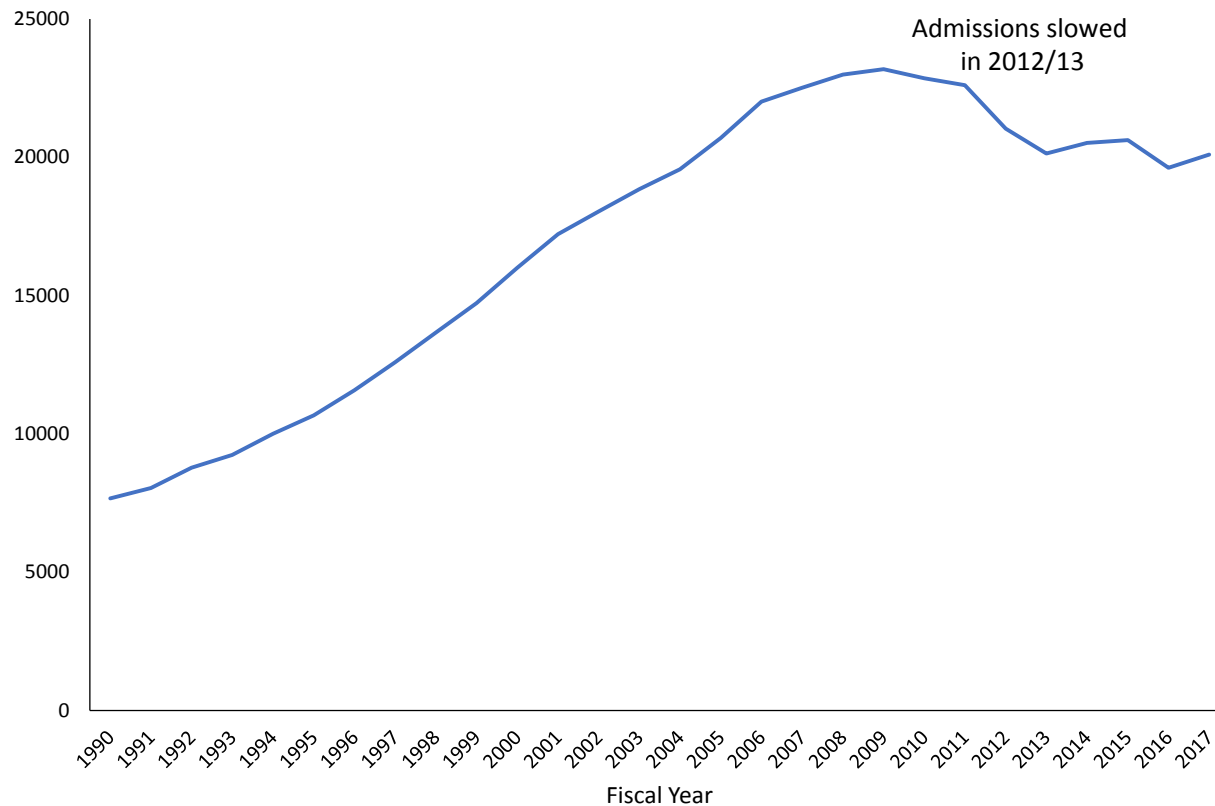
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Prison population began to decline in 2010

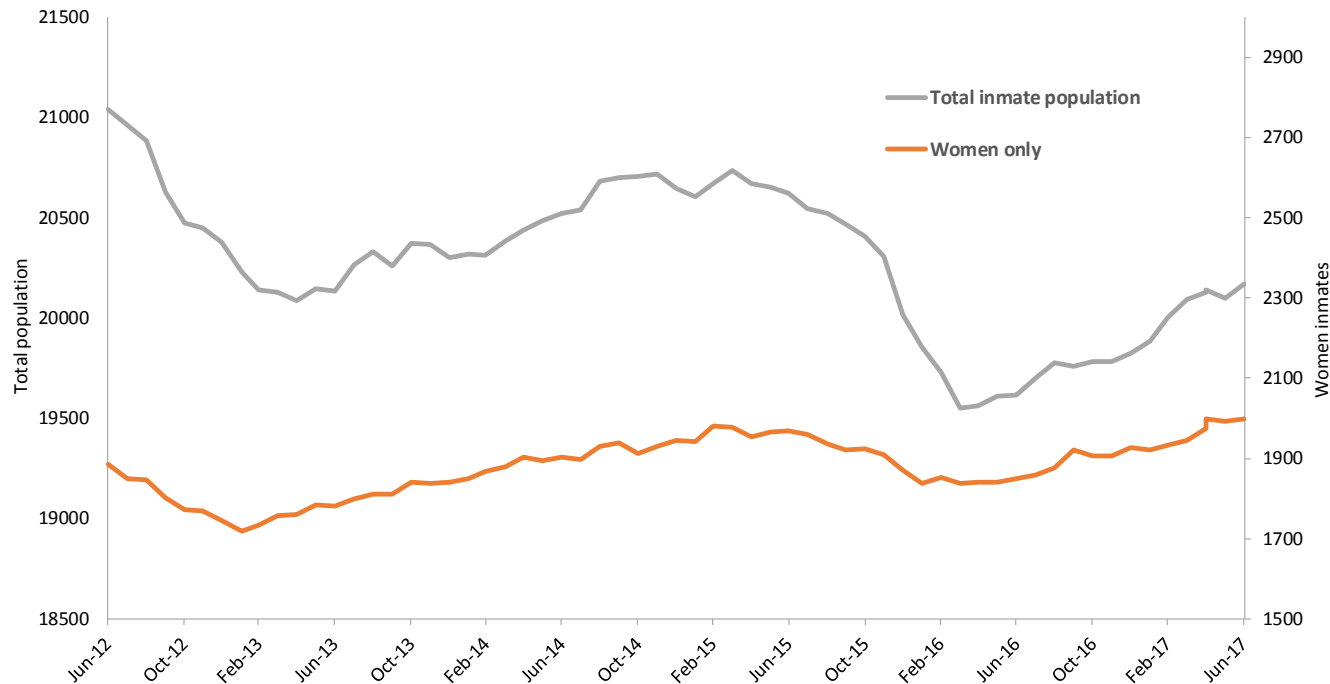
Figure 1. Colorado prison population, Fiscal Year End 1990-2017



Data source: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics>

Admissions declined, then increased, then parole TVs declined significantly, then...

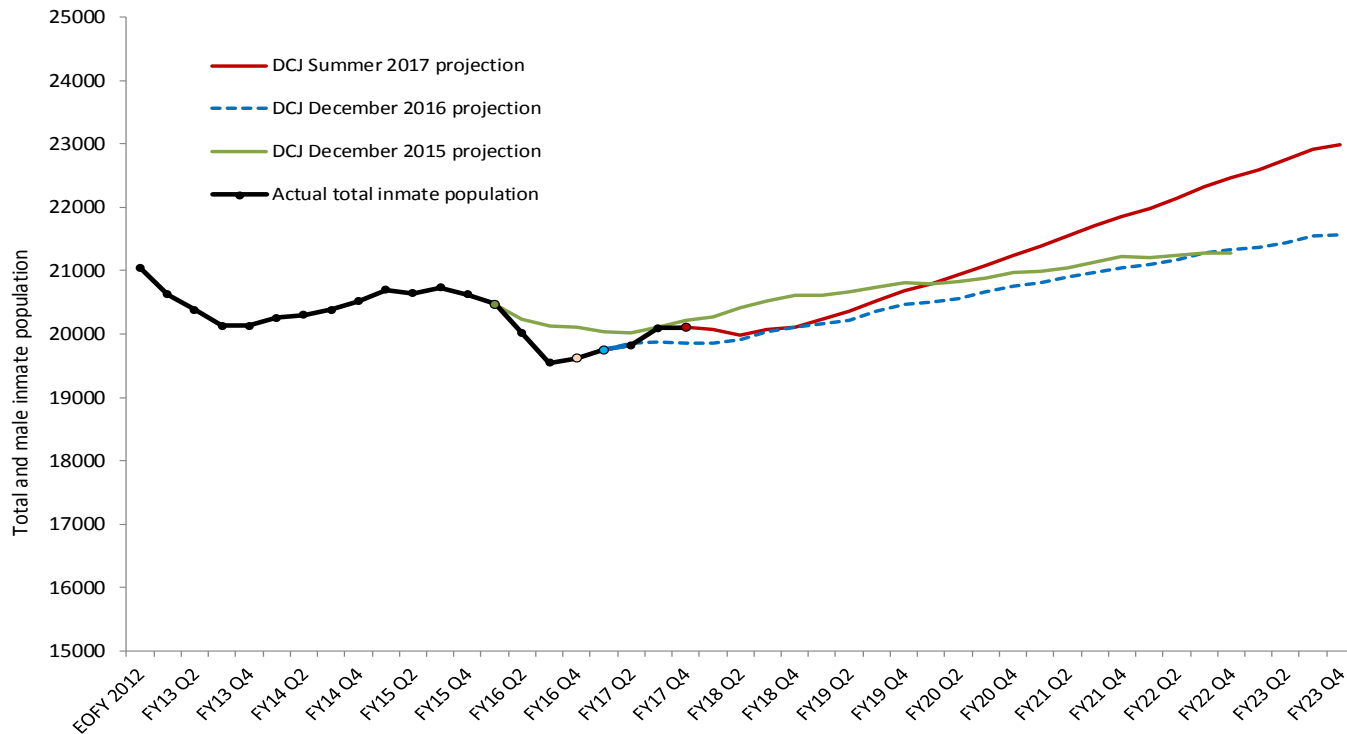
Figure 2. Quarterly figures: Total inmate population and women population, July 2012-June 2017



Data source: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departamental-reports-and-statistics>

DCJ prison population forecast predicted growth

**Figure 3: Actual and projected total prison population FY 2005 through FY 2023:
Comparison of DCJ December 2015, December 2016, and Summer 2017 Prison Population Projections**



Data source: Actual population figures FY 2005 through FY 2016: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics>

Arrests increasing

Table 1. Colorado Arrests CY 2012 to 2016

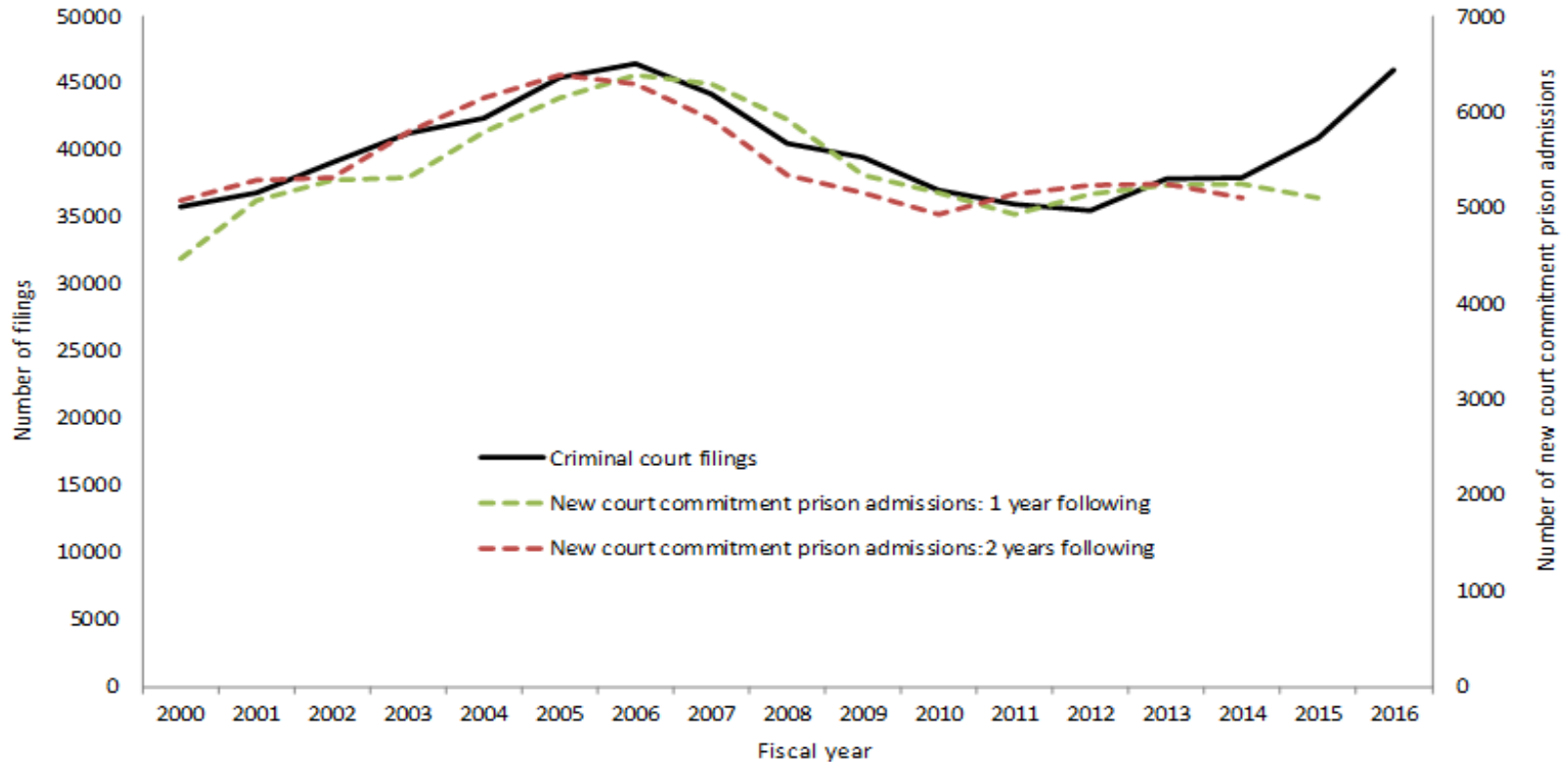
Crime	2012	2013	2014	2015	2016
Aggravated Assault	3,814	3,880	4,083	4,402	4,929
Arson	106	106	103	116	161
Burglary	1,804	2,018	2,255	1,993	2,237
Drug Violations	17,814	12,262	13,253	14,861	16,622
Embezzlement	116	89	93	97	101
Forgery	714	664	594	589	735
Fraud	1,639	1,778	1,962	2,235	2,707
Group B Offenses	112,190	118,913	122,769	116,037	116,363
Homicide/Manslaughter	118	118	125	106	150
Human Trafficking	0	0	2	6	3
Kidnapping/Abduction	506	531	594	655	708
Motor Vehicle Theft	841	1,093	1,295	1,737	2,240
Other	6,075	6,495	6,758	7,459	7,780
Other Sex Offenses	330	320	273	291	291
Robbery	780	893	829	887	858
Sexual Assault	489	489	515	488	459
Simple Assault	11,686	12,544	13,677	14,432	14,437
Theft	16,001	19,987	22,956	22,638	21,959
Weapon Violations	1,456	1,543	1,837	1,949	2,138
Total	176,479	183,723	193,973	190,978	194,878

Also: Ratio of arrests to filings increasing slightly.

Data source: CBI Beyond 20/20.

Criminal filings increasing

Figure 4. Correspondence of Colorado criminal court filings FY 2000 through FY 2016 and new court commitments in following years



Data Sources: Colorado Dept. of Corrections Annual Statistical Reports; Colorado Judicial Branch Annual Statistical Reports, FY 2000-FY 2016. District and county court filings are included, with the exception of Denver County court.

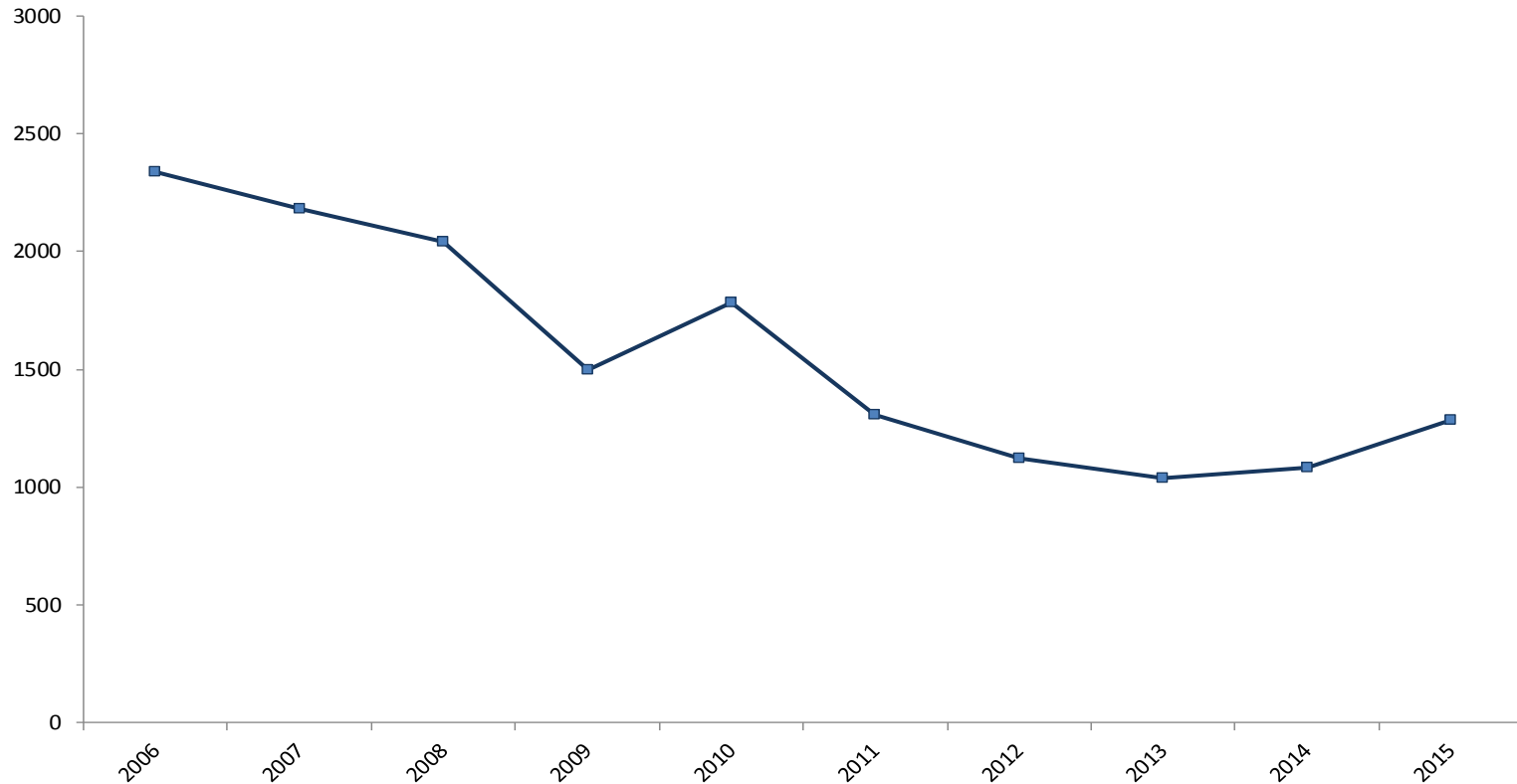
Felony DUI, drugs, MVT, assault

- **Felony DUI.** The passage of HB 15-1043, which created a class of felony DUI offenders, increased admissions to prison much more quickly than expected, with 110 offenders admitted to prison with a felony DUI as their most serious crime during FY 2016 alone.
- **Cases sentenced to DOC.** An analysis of district court cases sentenced to DOC in 2015 and 2016 found the following offense types increased in 2016. *Most notable was drug possession, which increased by 17% overall, and by 24% for women.*

• Drug possession	17%
• Drug distribution	12%
• Motor vehicle theft	15%
• Assault	16%
• Forgery/fraud	15%
• Weapons	10%

Probation revocations increasing slightly

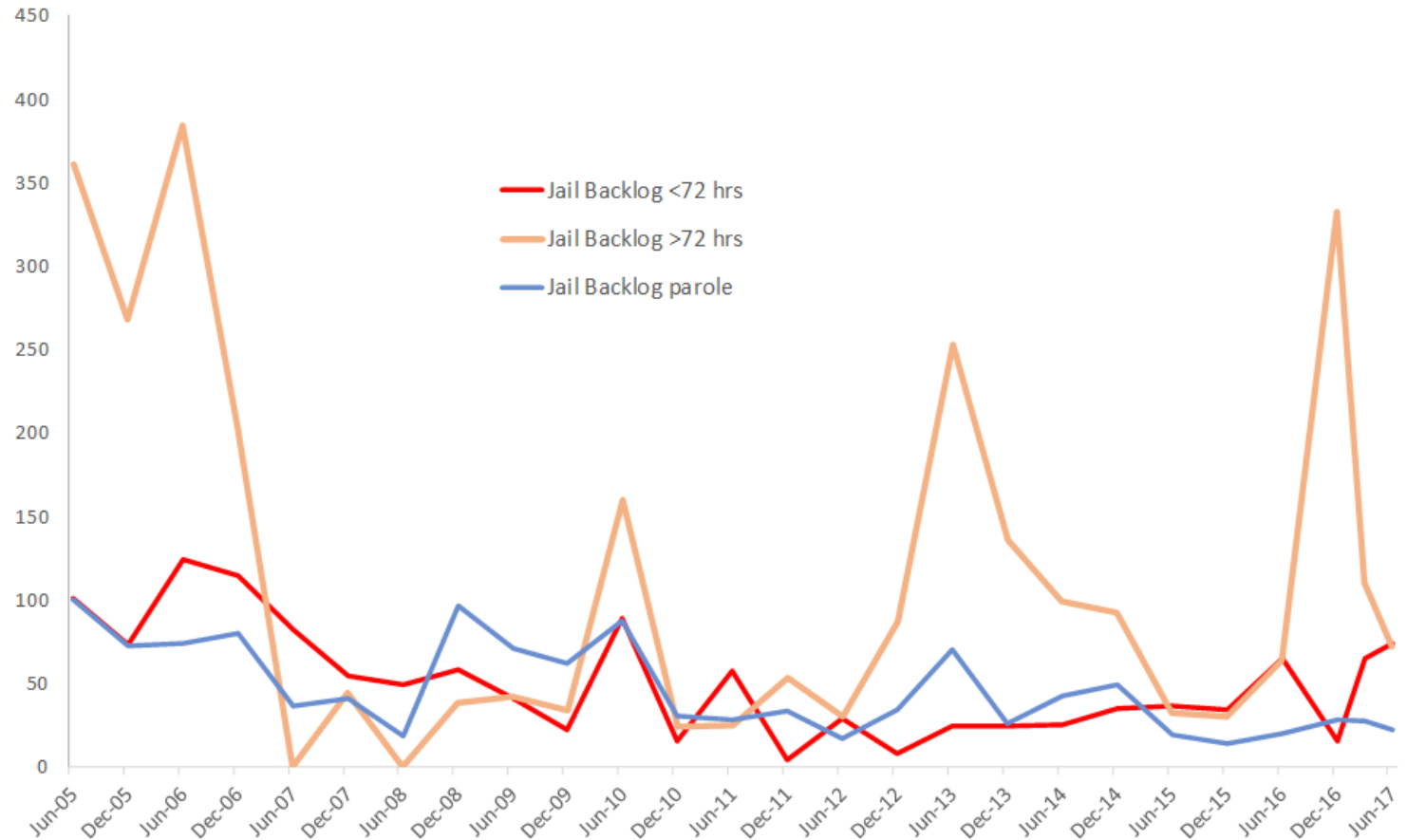
Figure 5. Adult probation revocations sentenced to DOC: FY 2006 – FY 2015



Source: Colorado State Judicial Branch. *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>

Jail backlog variation not atypical

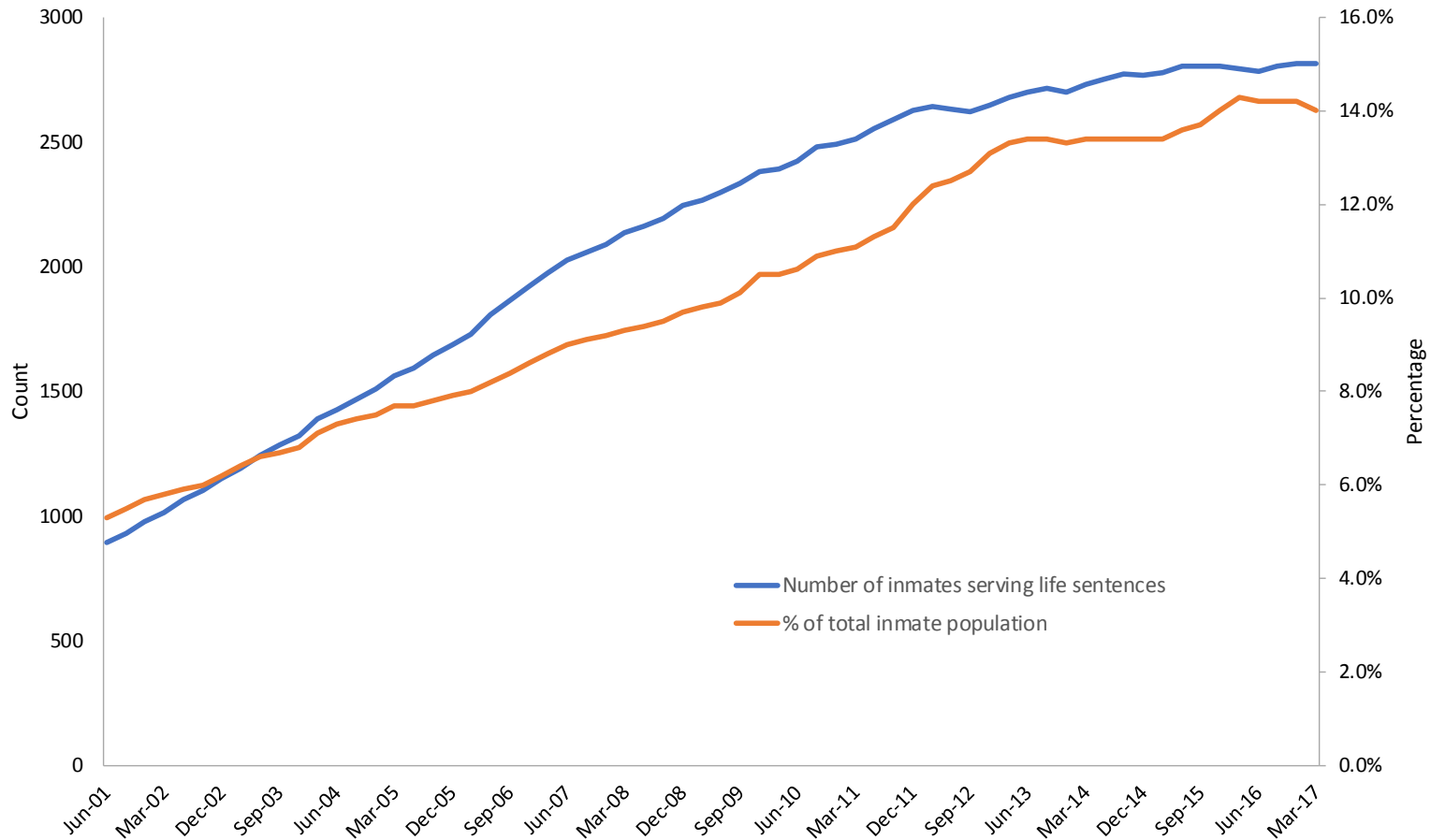
Figure 6. Jail backlog, June 2005-June 2017



Data source: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departamental-reports-and-statistics>

Life without parole and Lifetime Supervision Act of 1998

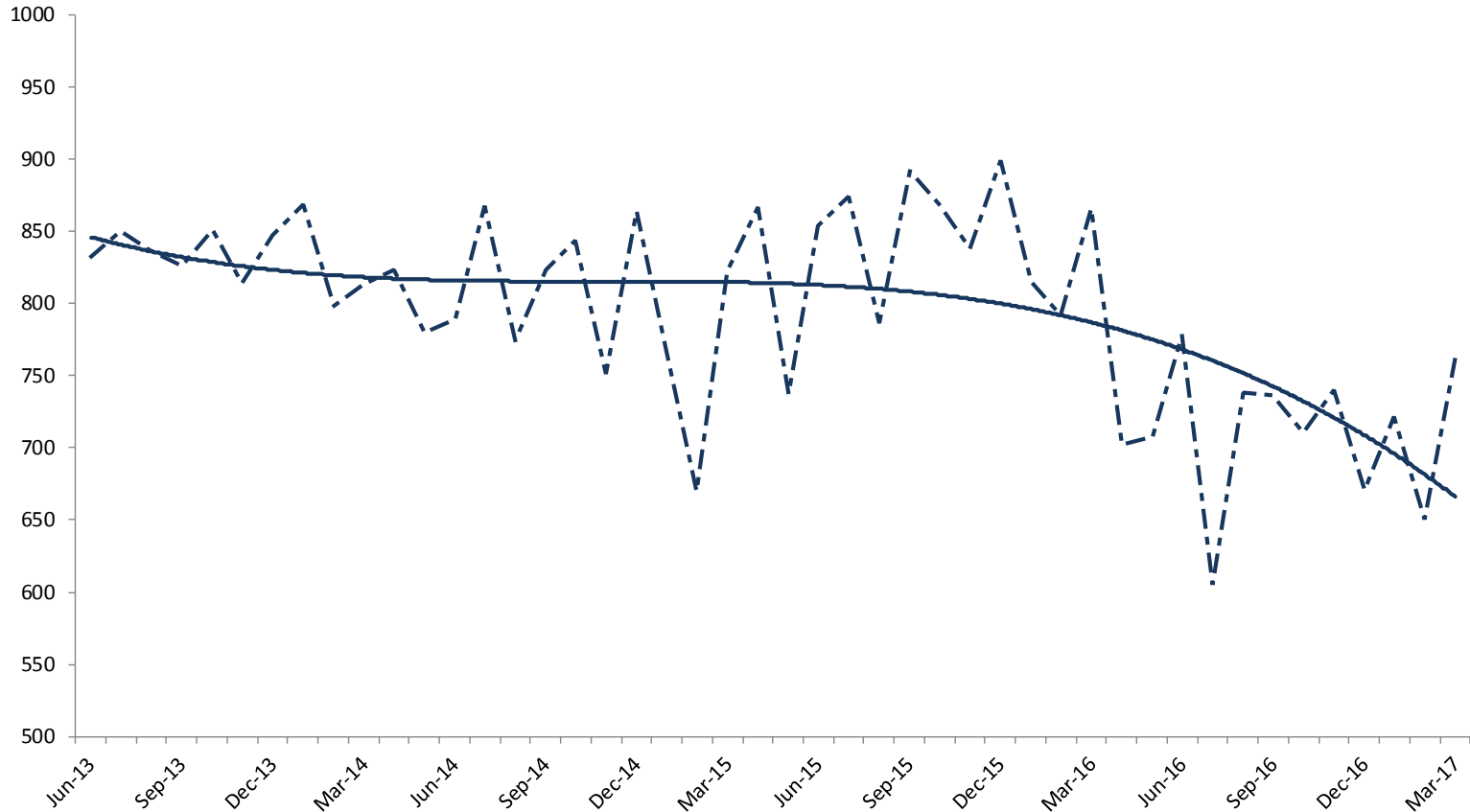
Figure 7. Inmates with life sentences, June 2001-March 2017



Data source: <https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics>

Prison releases declining

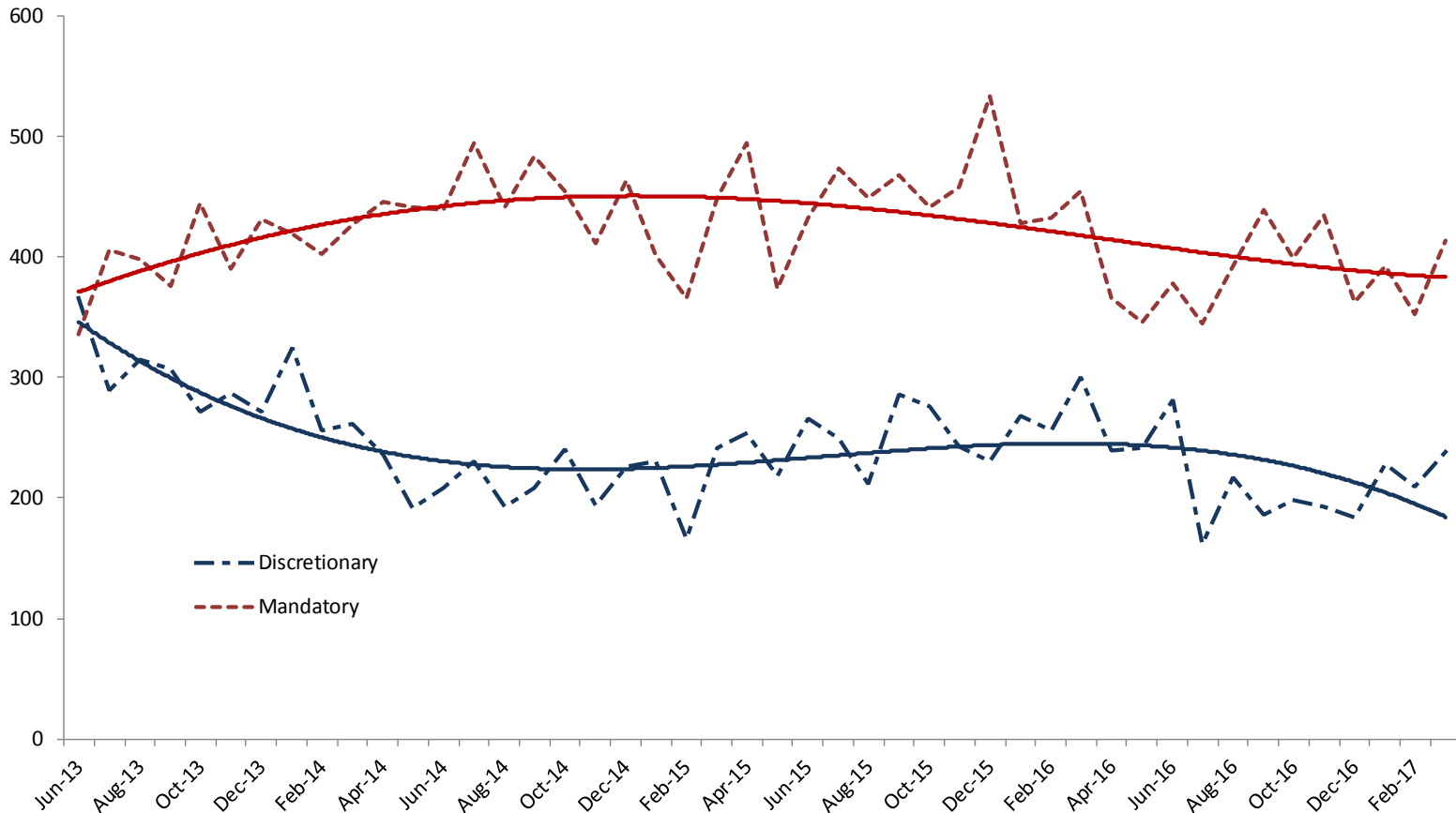
Figure 8. Total prison releases FY 2014 through March 2017, by quarter



Data sources: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics>

Releases to parole declining

Figure 9. Releases to parole by type FY 2014 through March 2017, by quarter



Data sources: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departamental-reports-and-statistics>



State population growth

- Very strong growth in the Colorado adult population is expected in upcoming years, particularly for those within the 24-44 year old age range.
- This growth is expected to accelerate, especially between FY 2017 and FY 2020, according to the state Demographer's Office.
- The Demographer's Office estimates growth in the overall Colorado Population at a rate of approximately 100,000 per year through at least 2028.

Summary

- Arrests increasing
- Filings increasing
- Felony DUI
- Drugs, MVT, Assault
- Probation revocations increasing
- Life/indeterminate sentences stack up in prison
- Prison releases declining
- State population growth

Figure 10: Actual and projected total prison population FY 2005 through FY 2023: Comparison of DCJ Prison Population Projections: December 2015, December 2016, and Summer 2017

