

Colorado Prison Population: Trends, Forecasts, and Factors

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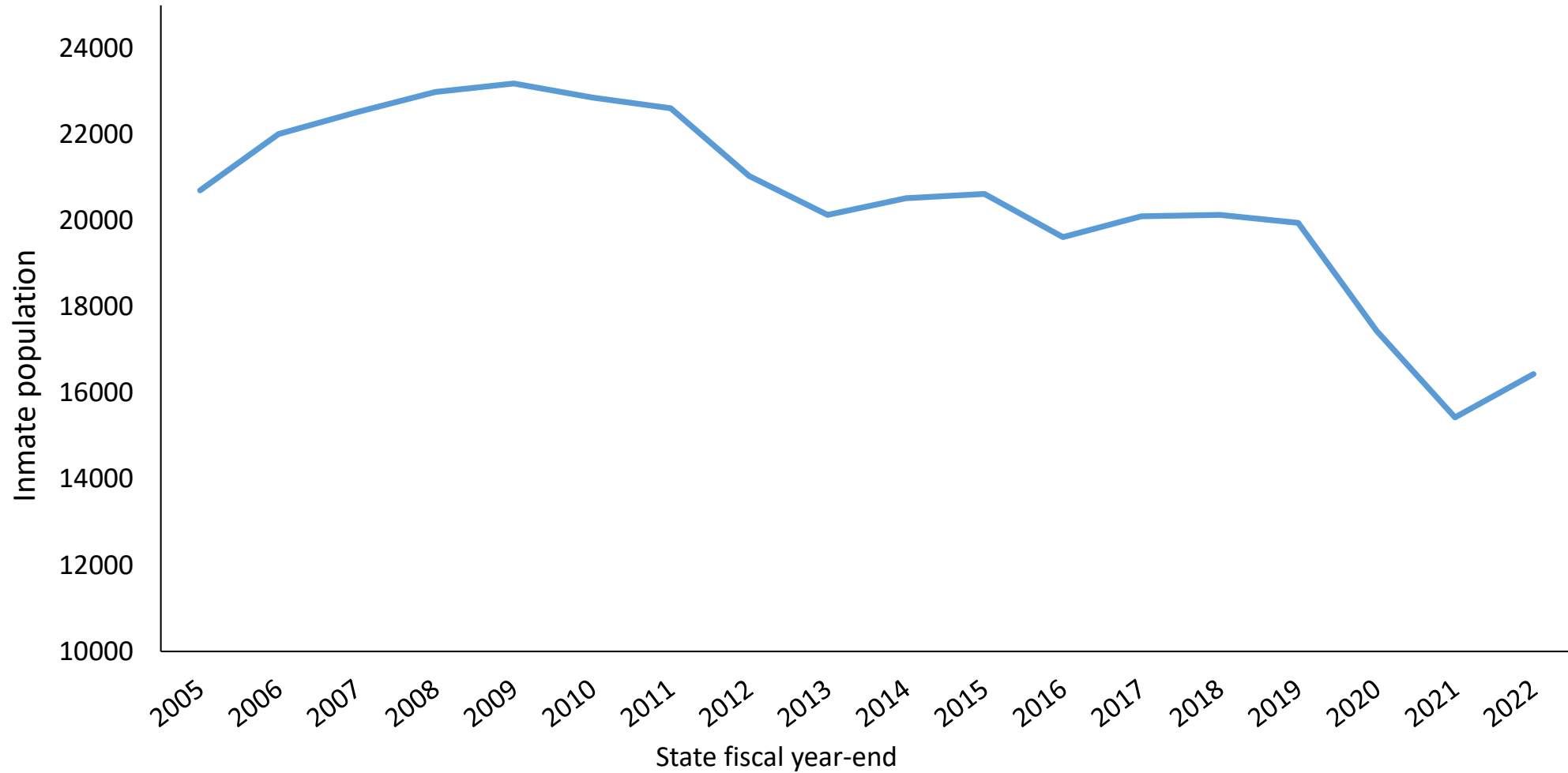
August 12, 2022

Presented to the Colorado Commission on Criminal and Juvenile Justice



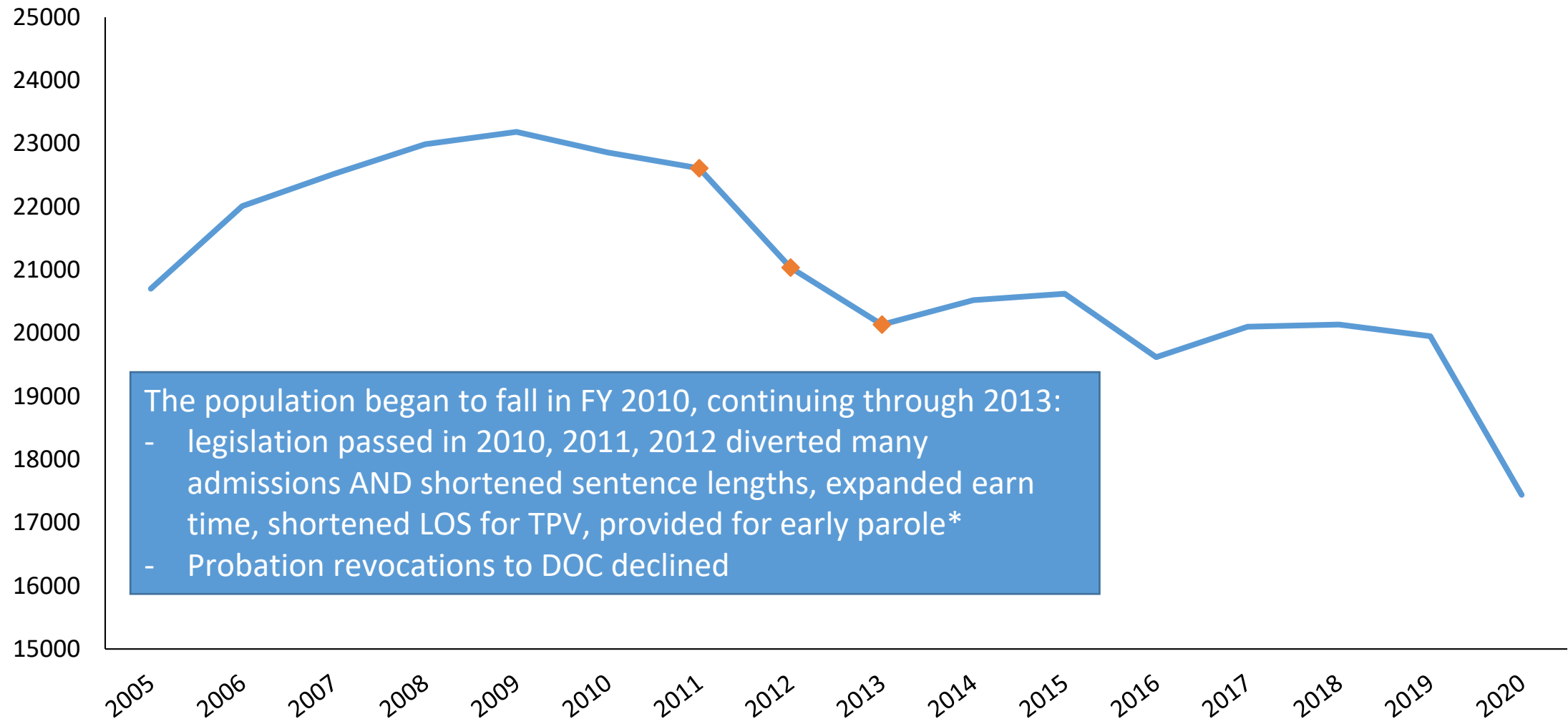
COLORADO
Division of Criminal Justice
Department of Public Safety

Colorado prison population: 2005 to 2022



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

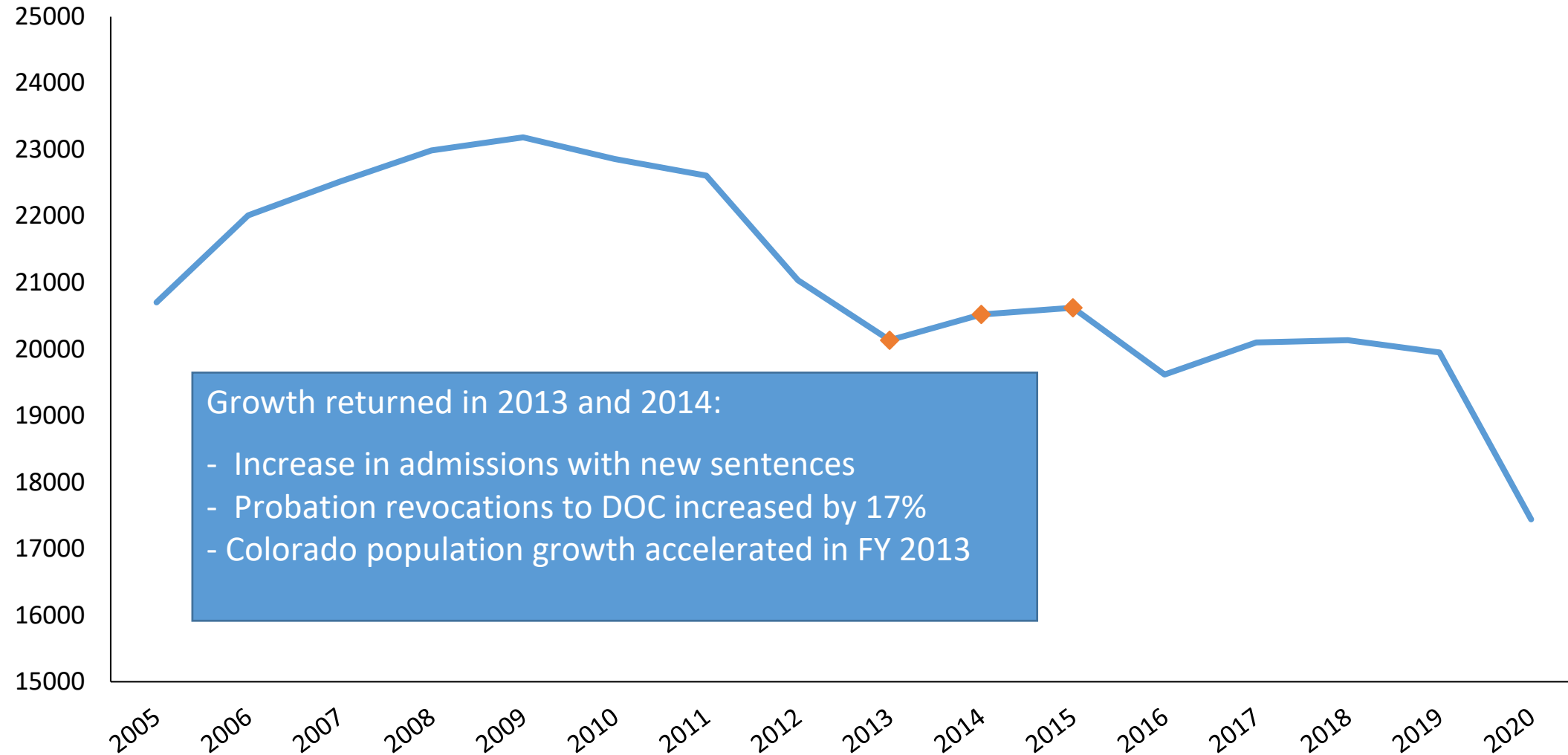
Colorado prison population: 2005 to 2020



See House Bills 2010-1338, 1352, 1413, 1373, 1374 , HB 12-1223 and SB 11-241

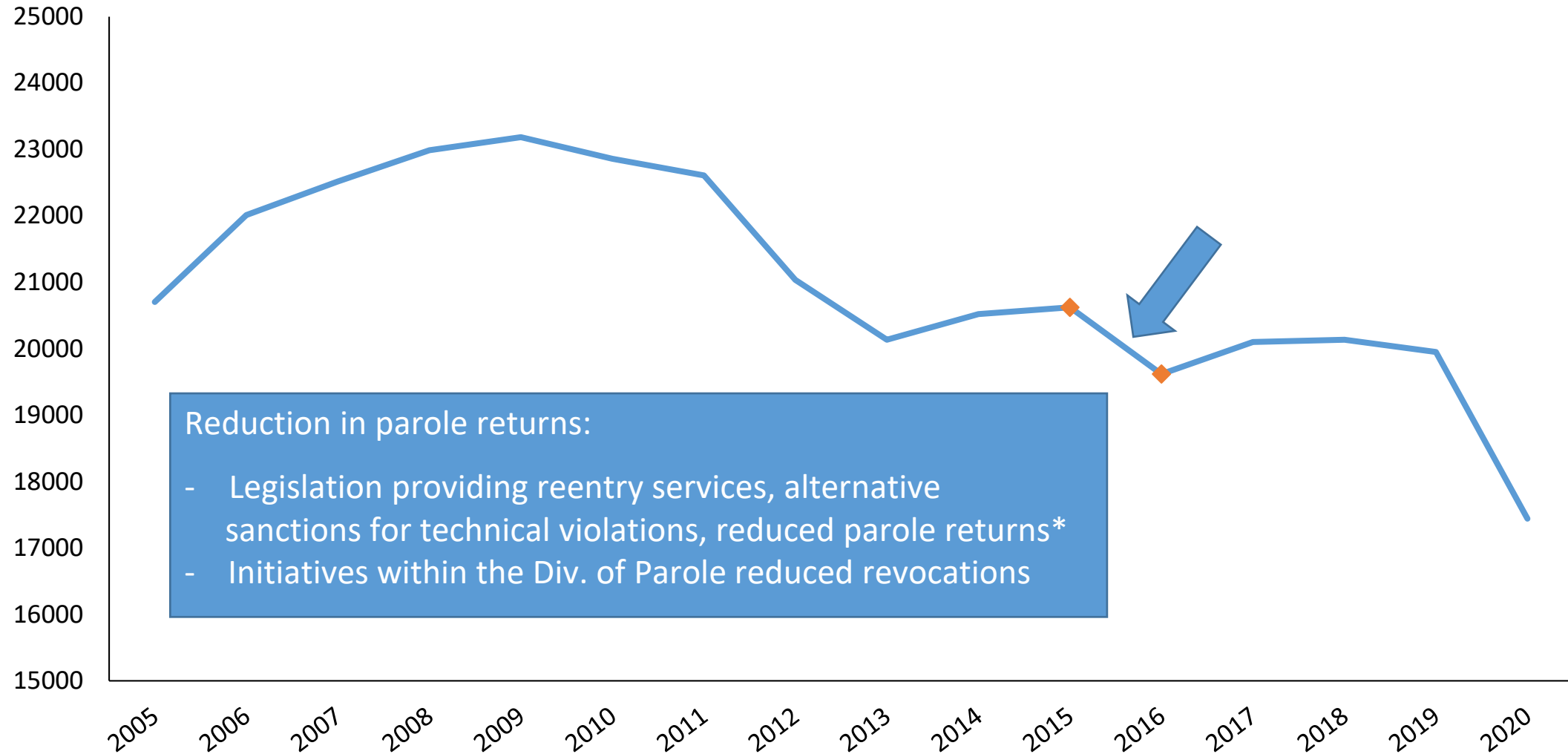
Data source: Colorado Department of Corrections Monthly Capacity and Population Reports.

Colorado prison population: 2005 to 2020



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

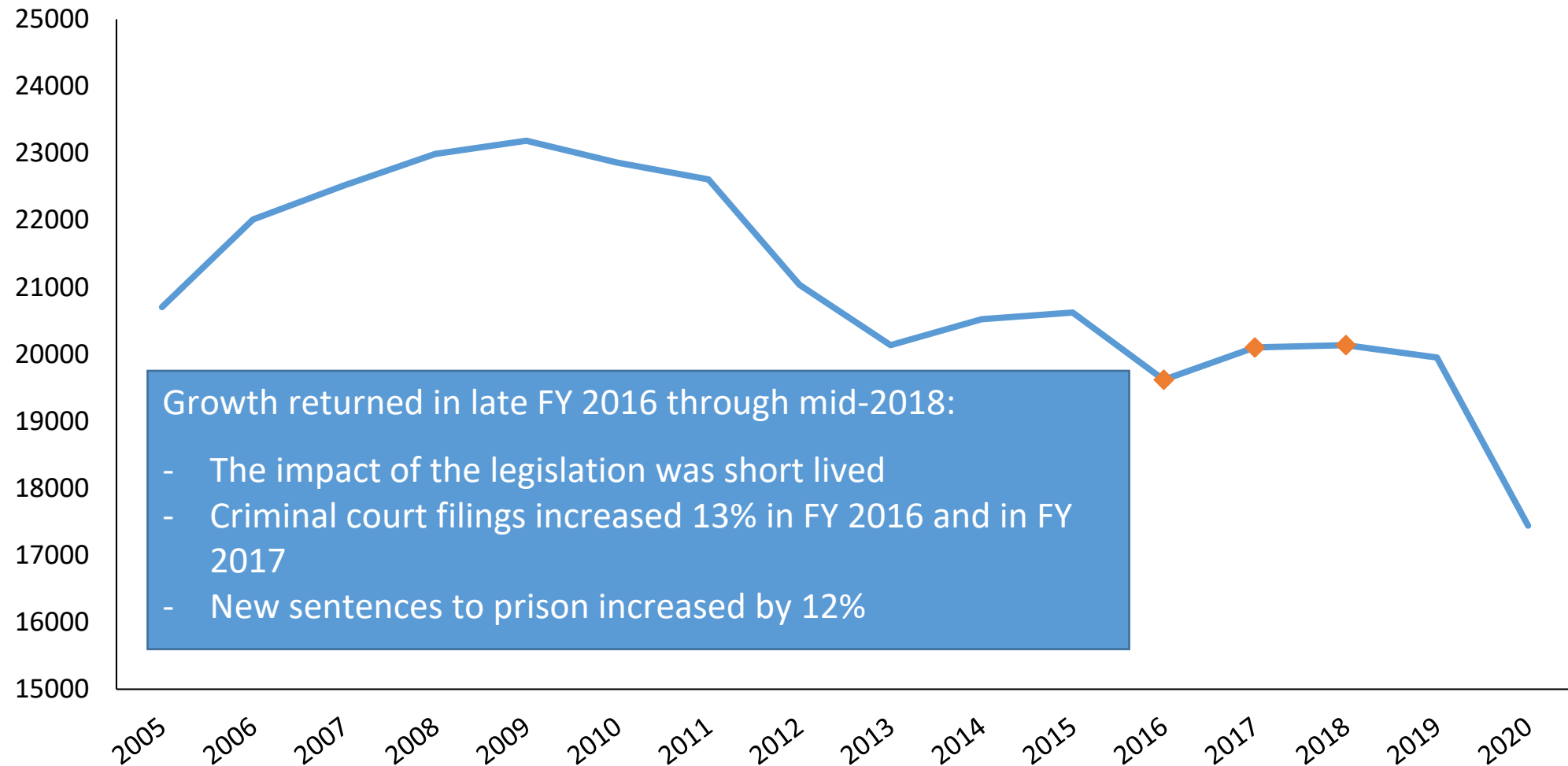
Colorado prison population: 2005 to 2020



*See HB 14-1355 and SB 15-124

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

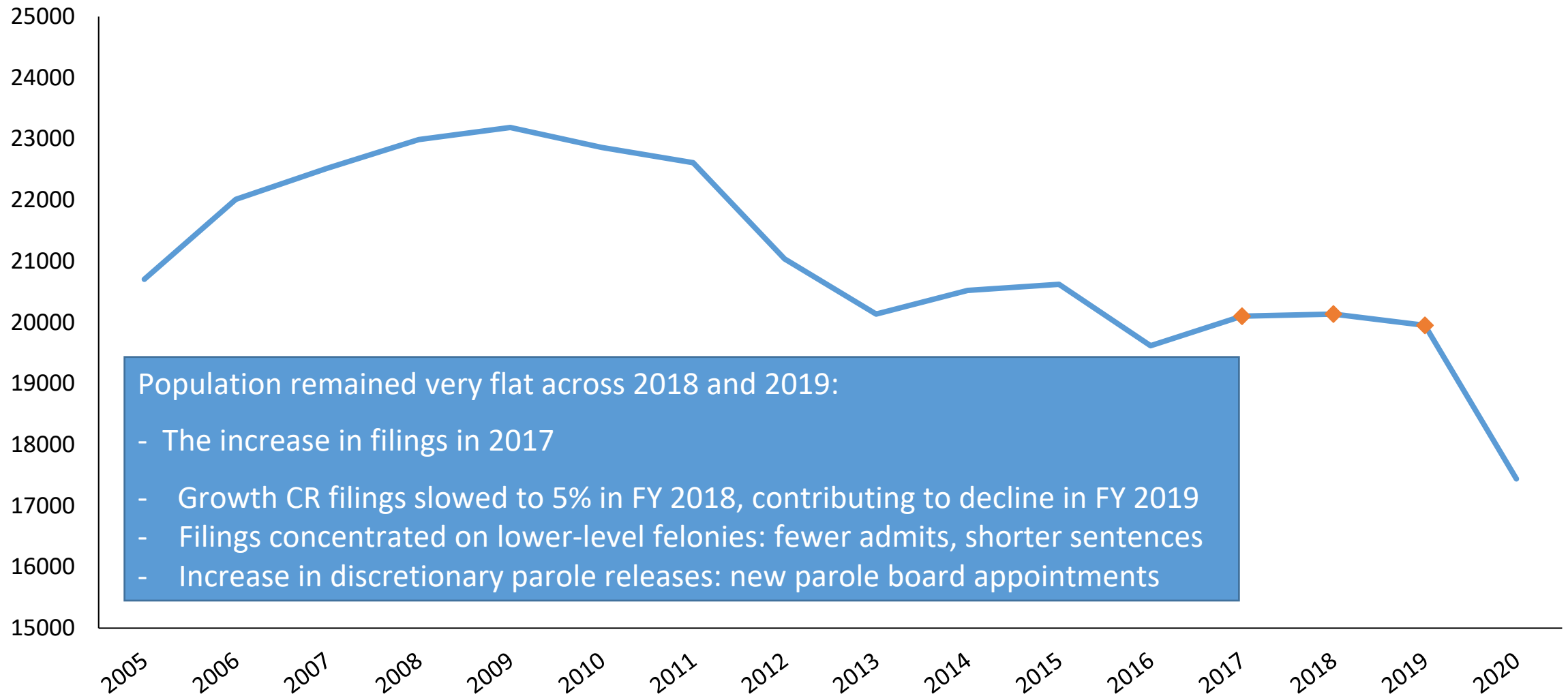
Colorado prison population: 2005 to 2020



*See HB 15-1043

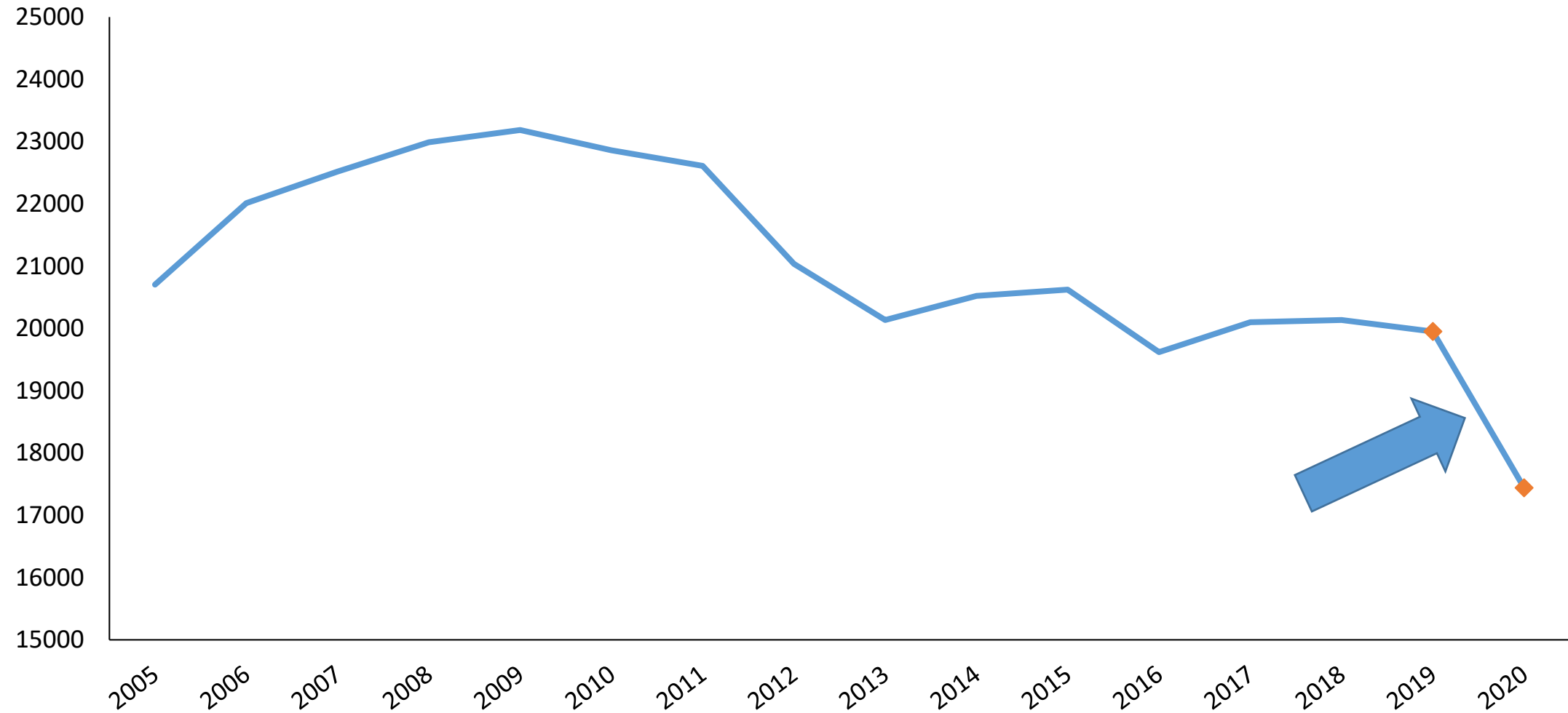
Data source: Colorado Department of Corrections Monthly Capacity and Population Reports.

Colorado prison population: 2005 to 2020



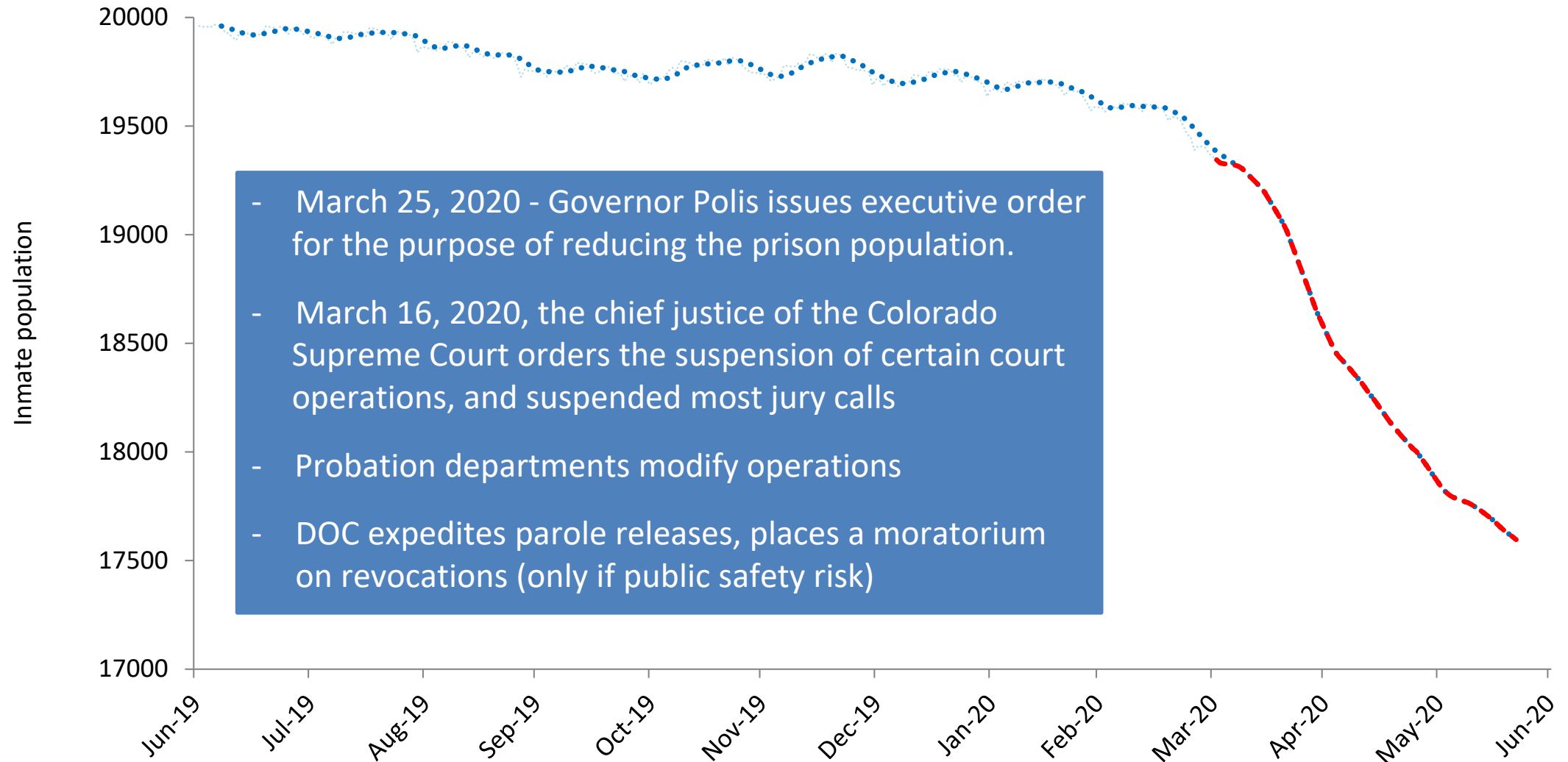
Data source: Colorado Department of Corrections Monthly Capacity and Population Reports.

Colorado prison population: 2005 to 2020



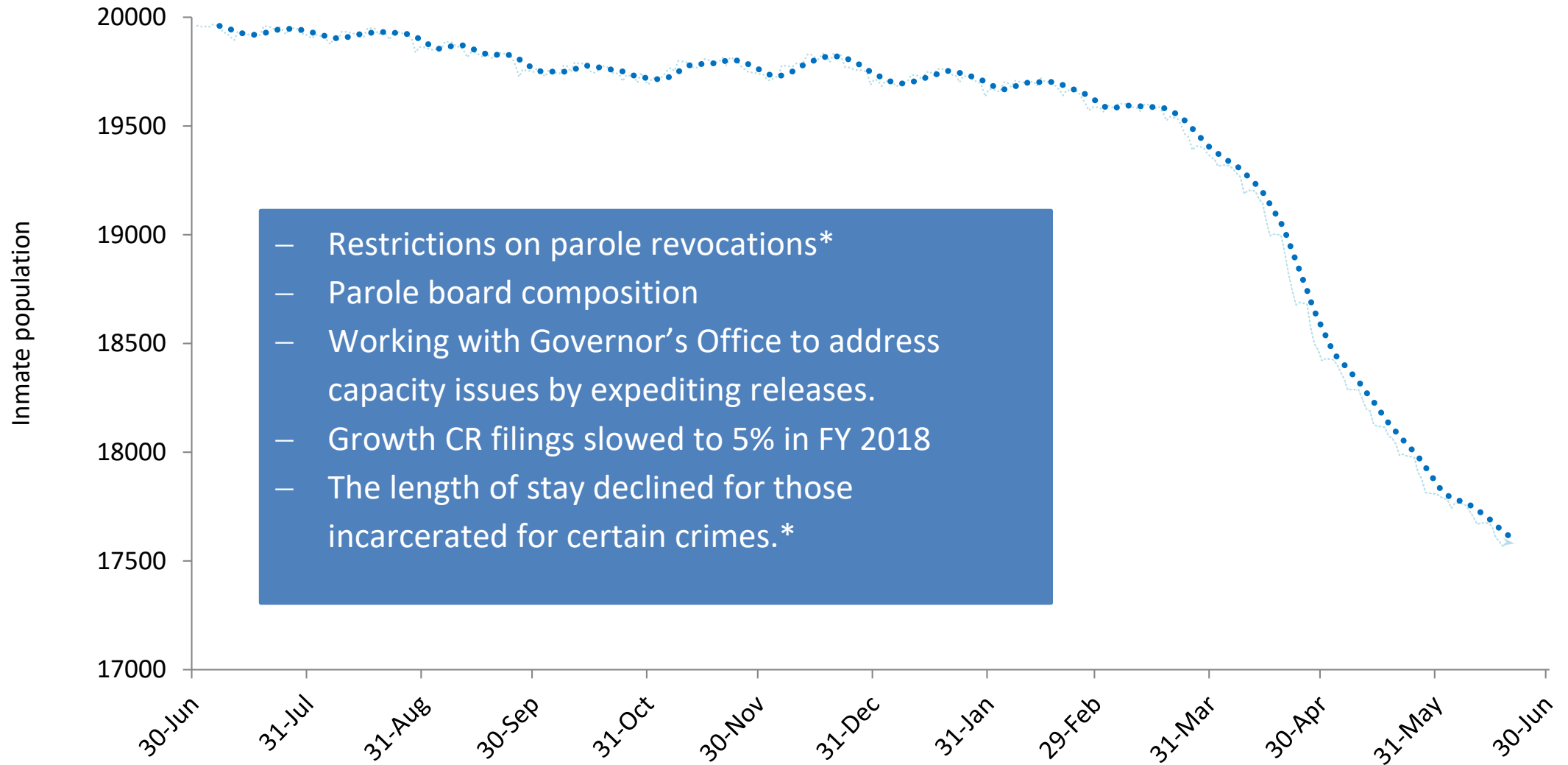
Data source: Colorado Department of Corrections Monthly Capacity and Population Reports.

Colorado prison population: FY 2020



Data source: Colorado Department of Corrections Daily Population Report: 7-day moving average

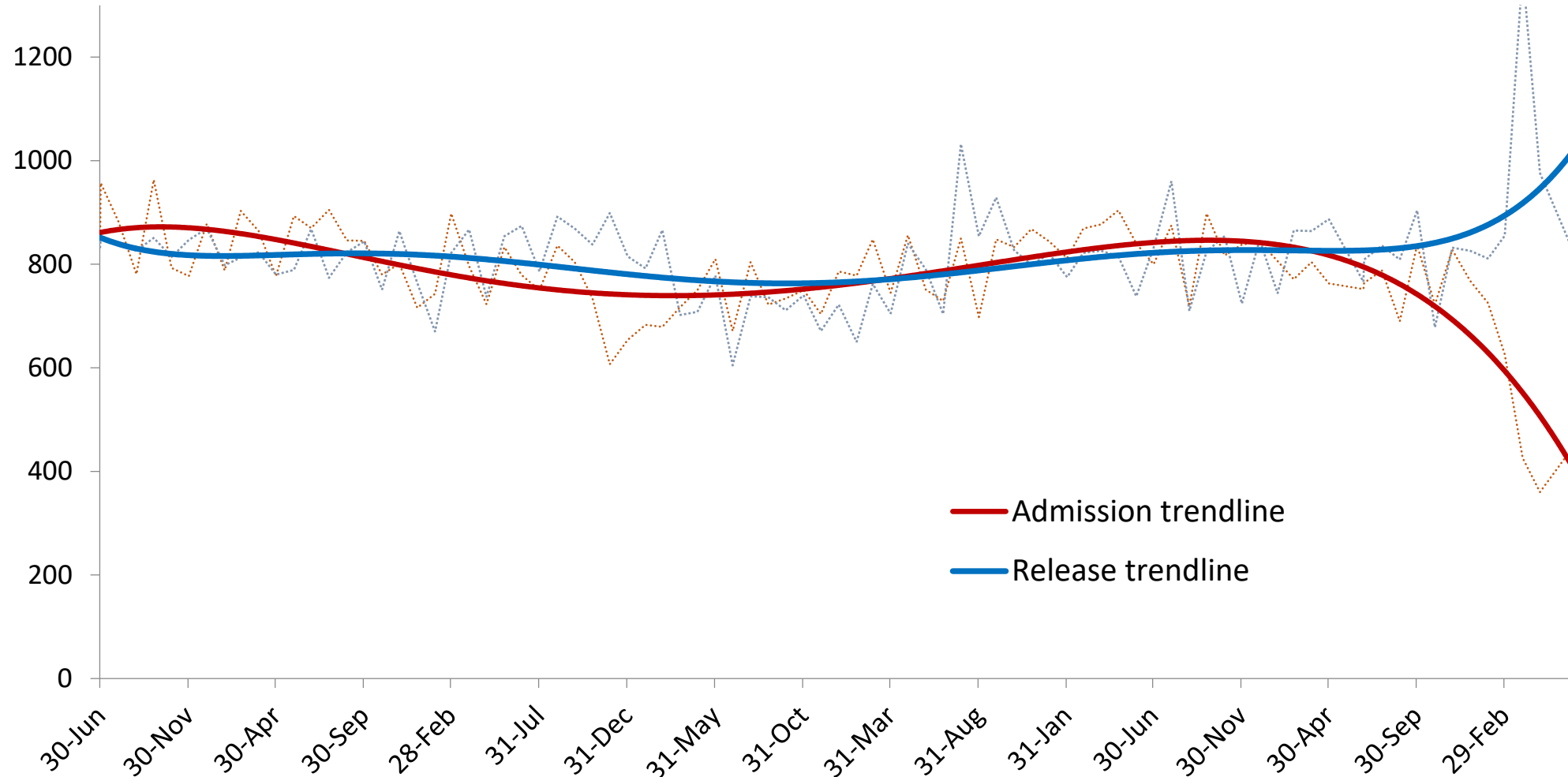
Colorado prison population: FY 2020



* See SB 2019-143 *HB 2010-1373

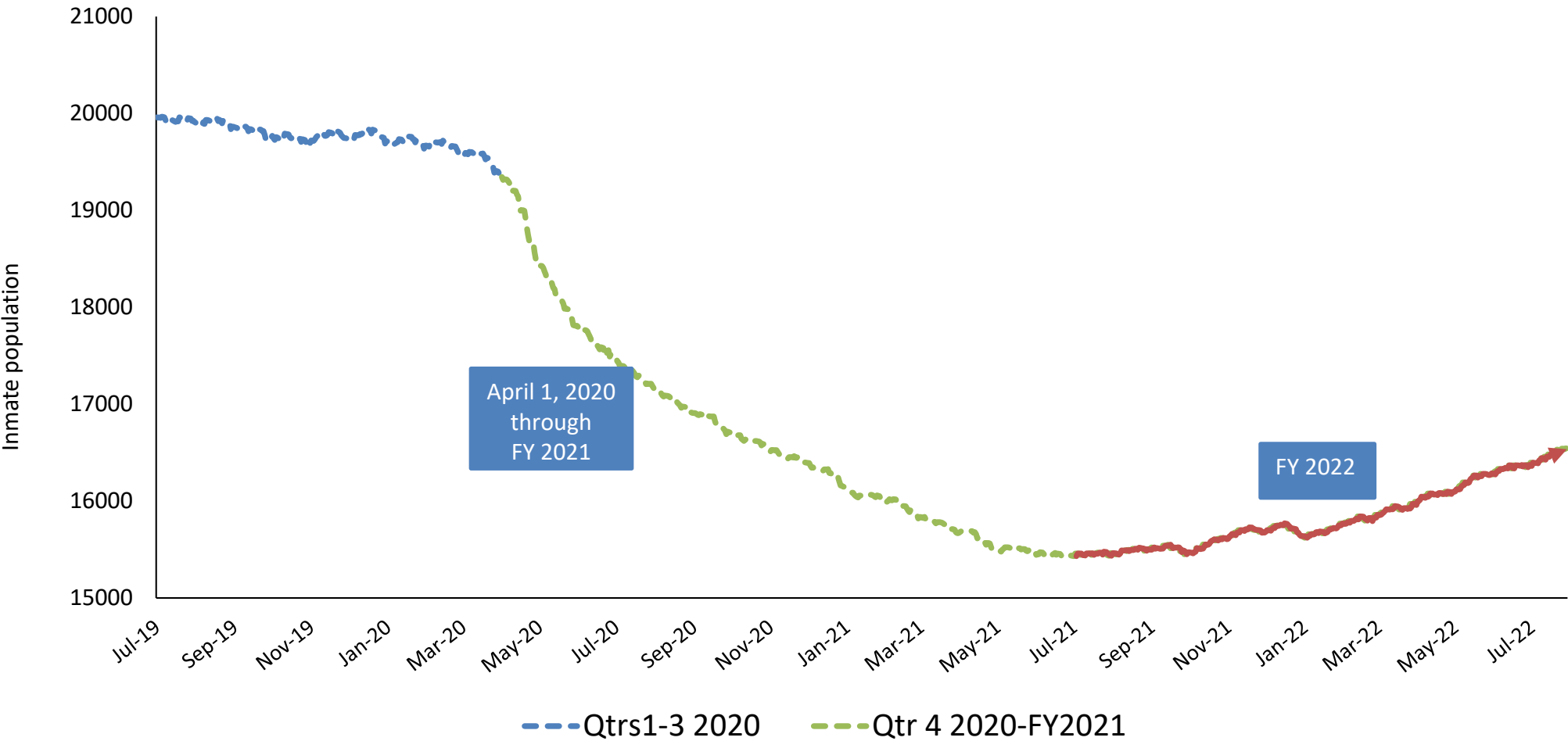
Data source: Colorado Department of Corrections Daily Population Report: 7-day moving average

Admissions and Releases: FY 2014-FY 2020



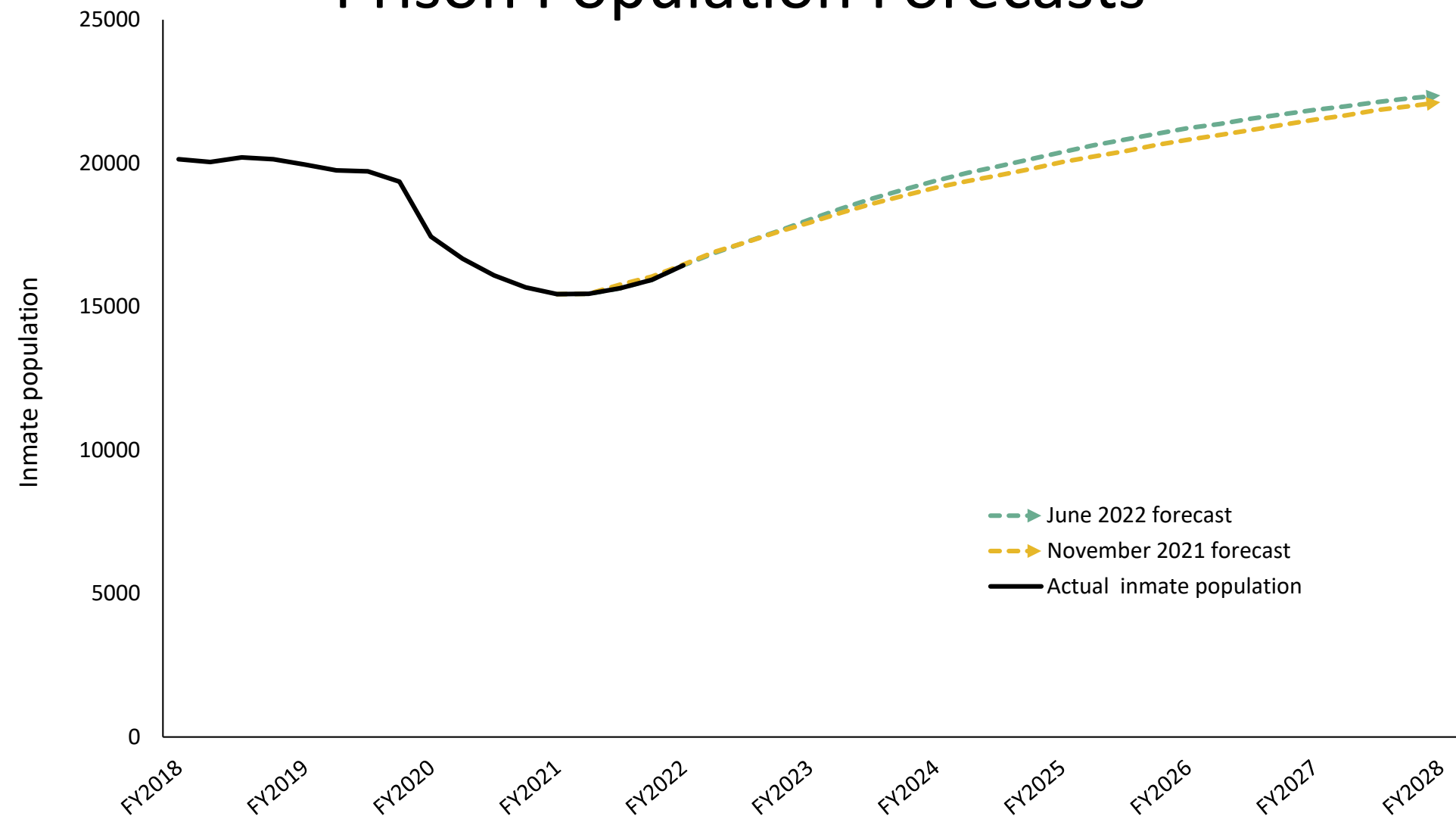
Data source: Colorado Department of Corrections Monthly Population Report: Polynomial trendline

Colorado prison population: FY 2020 - 2022



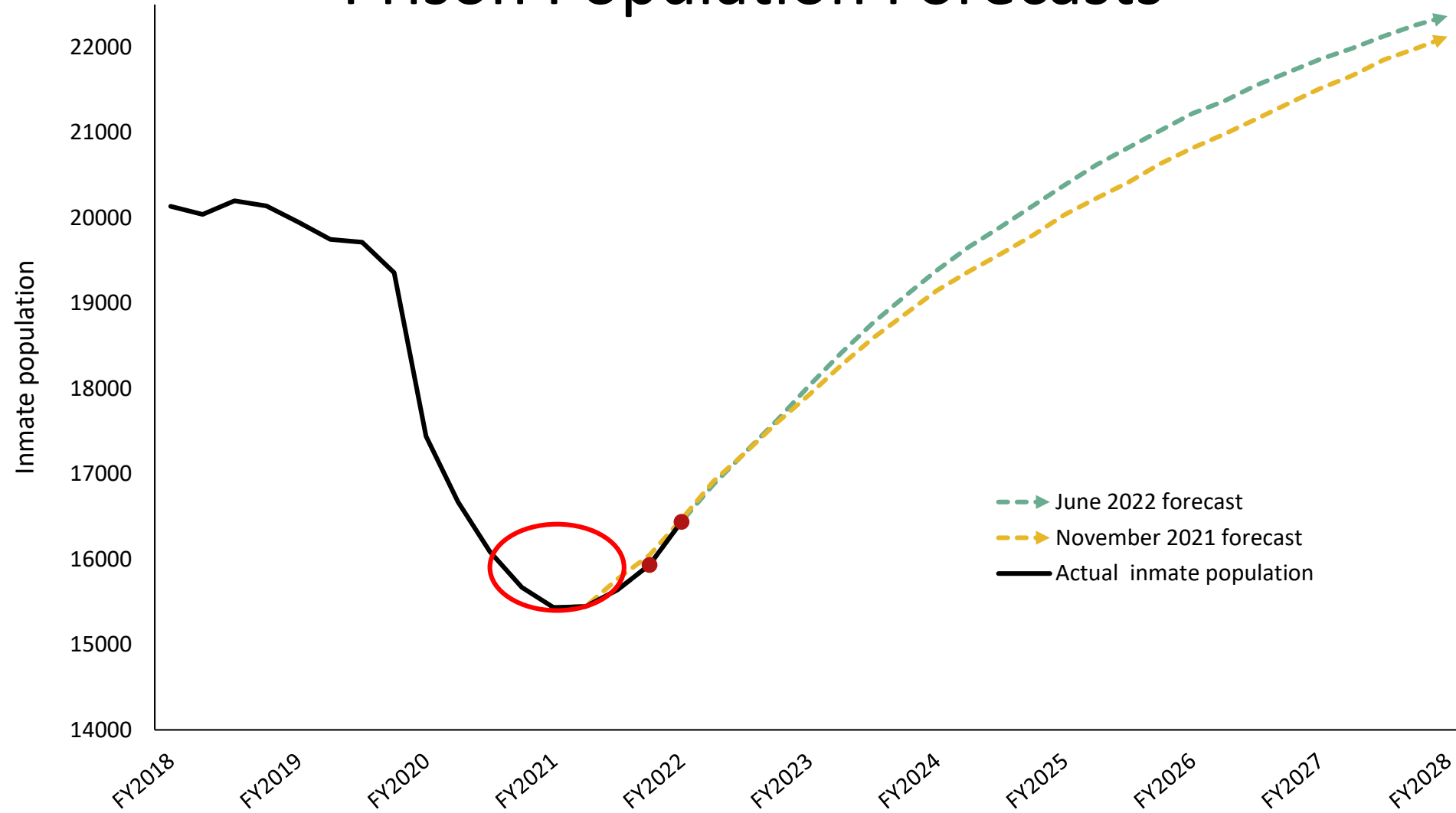
Data source: Colorado Department of Corrections Daily Population Report

DCJ November 2021 and June 2022 Prison Population Forecasts



Data source: Actual population figures FY 2018 through FY 2022 Colorado Department of Corrections Monthly Capacity and Population Reports.

DCJ November 2021 and June 2022 Prison Population Forecasts



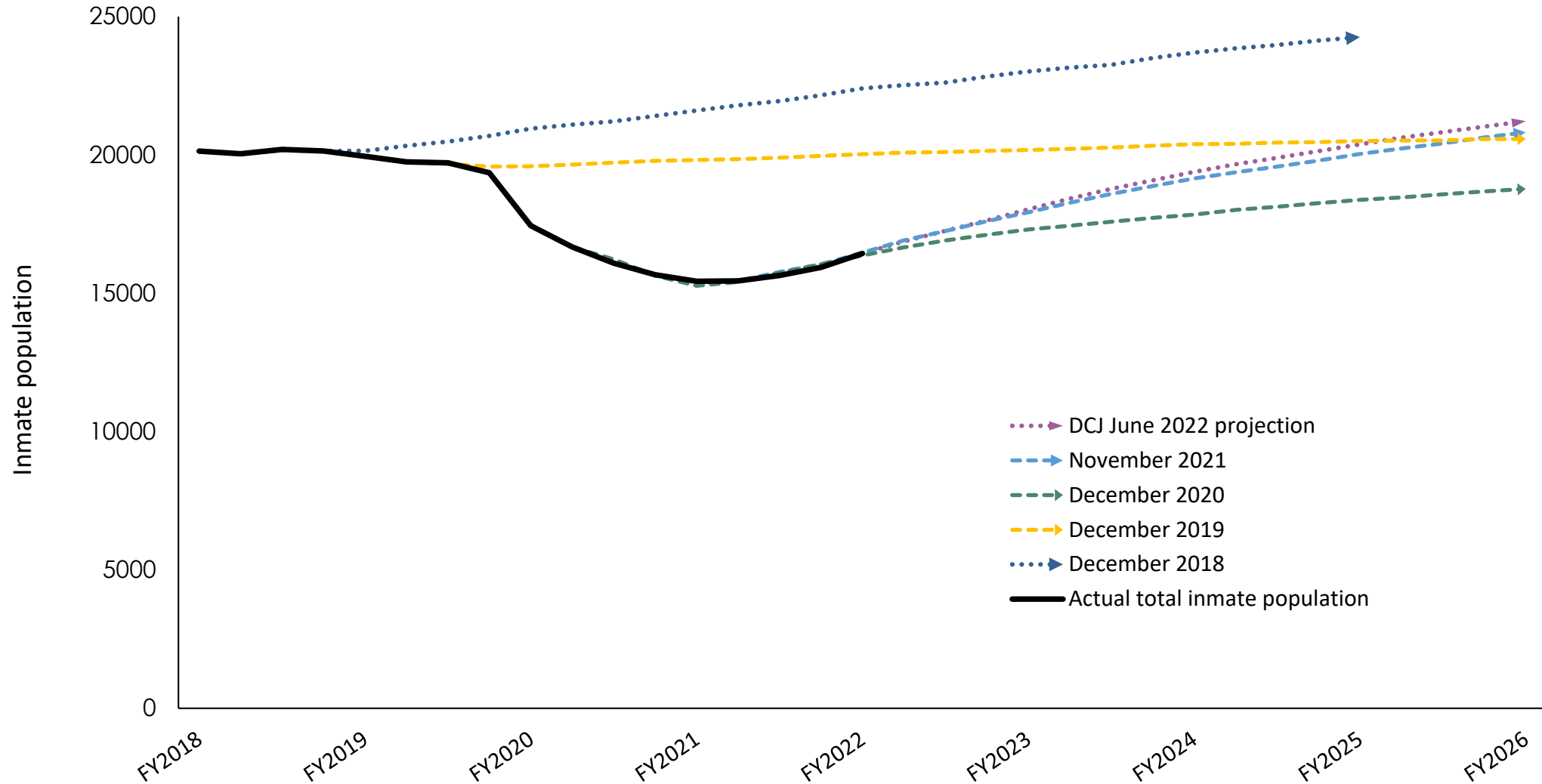
Data source: Actual population figures FY 2018 through FY 2022 Colorado Department of Corrections Monthly Capacity and Population Reports.

June 2022 DCJ 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%

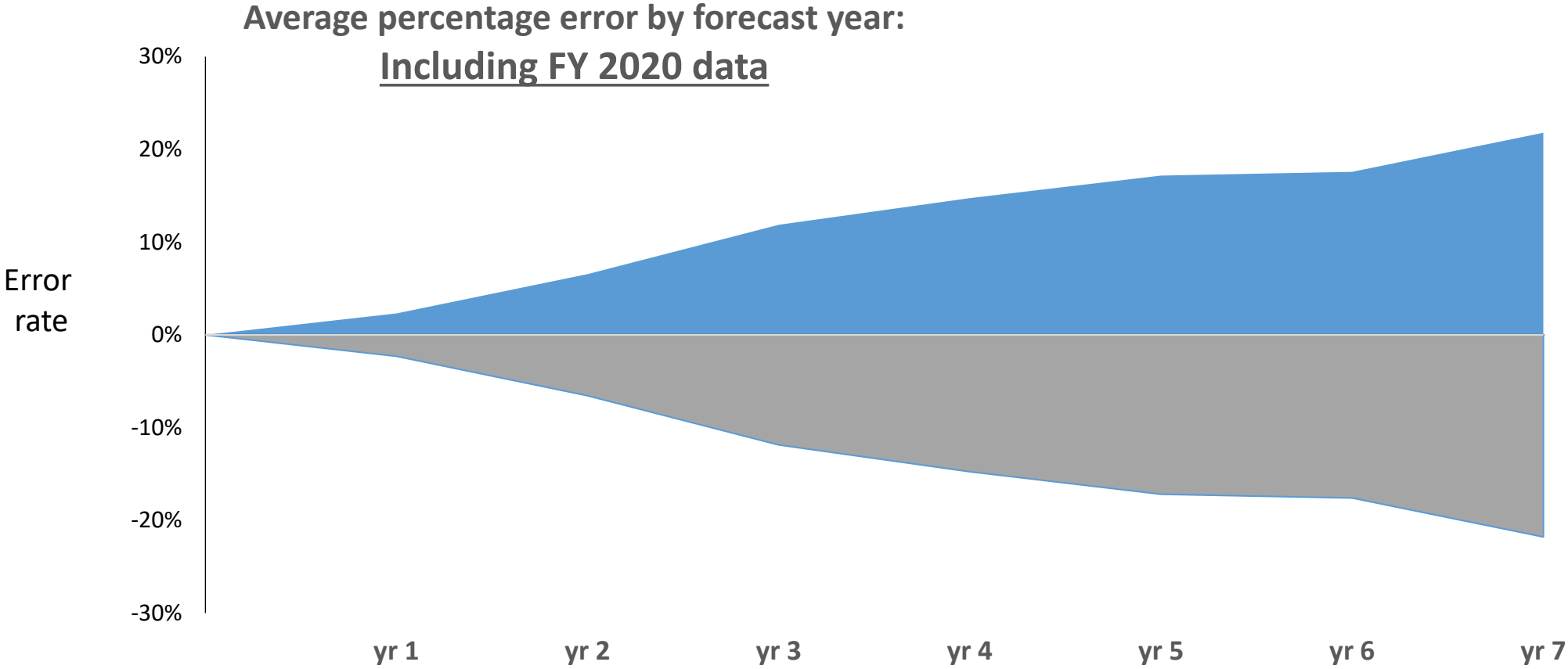
- The degree of growth observed in the last quarter of the year exceeds any degree of quarterly growth observed across the past decade
- The total inmate population is expected to reach 22,364 by the end of FY 2028, a 45% increase
- The female population is expected to increase 60.7% over the same time frame, from 1,216 to 1,954.

Comparison of current and prior prison population forecasts

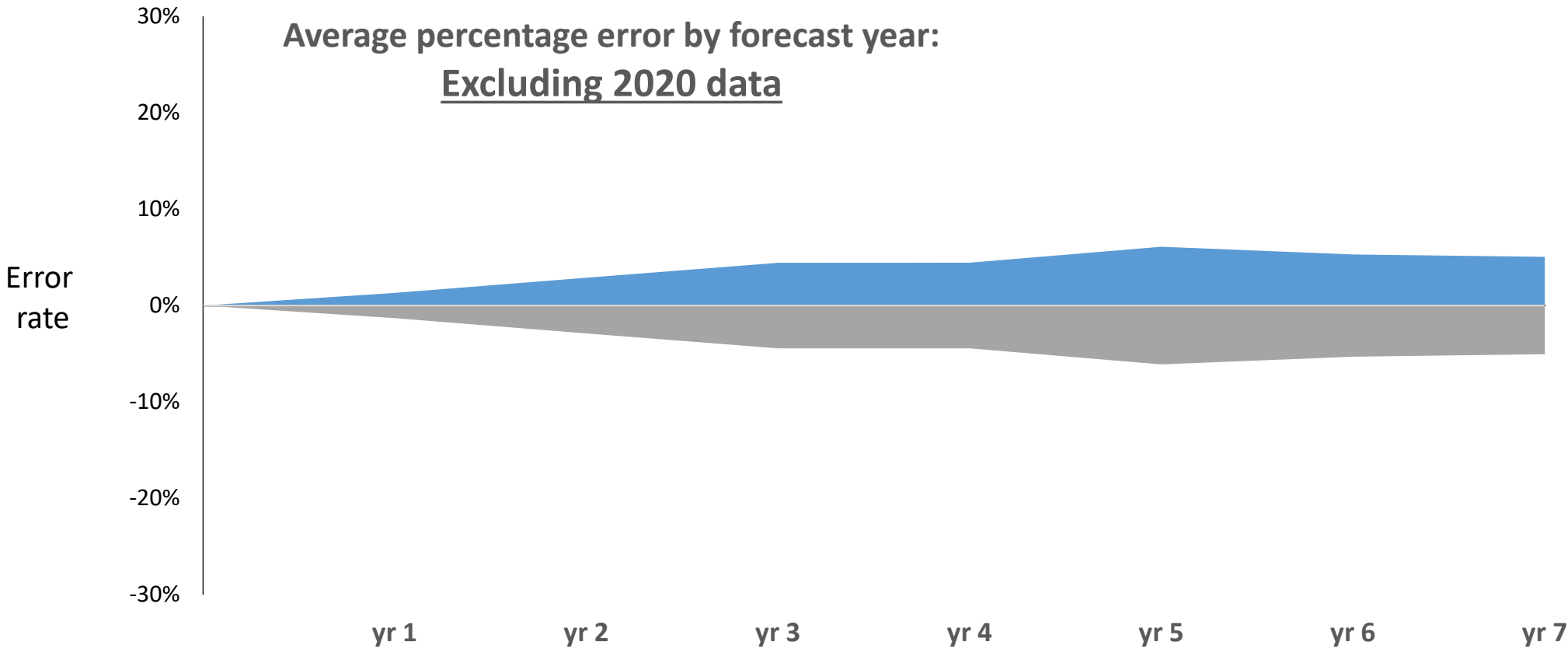


Data source: Actual population figures FY 2018 through FY 2022 Colorado Department of Corrections Monthly Capacity and Population Reports.

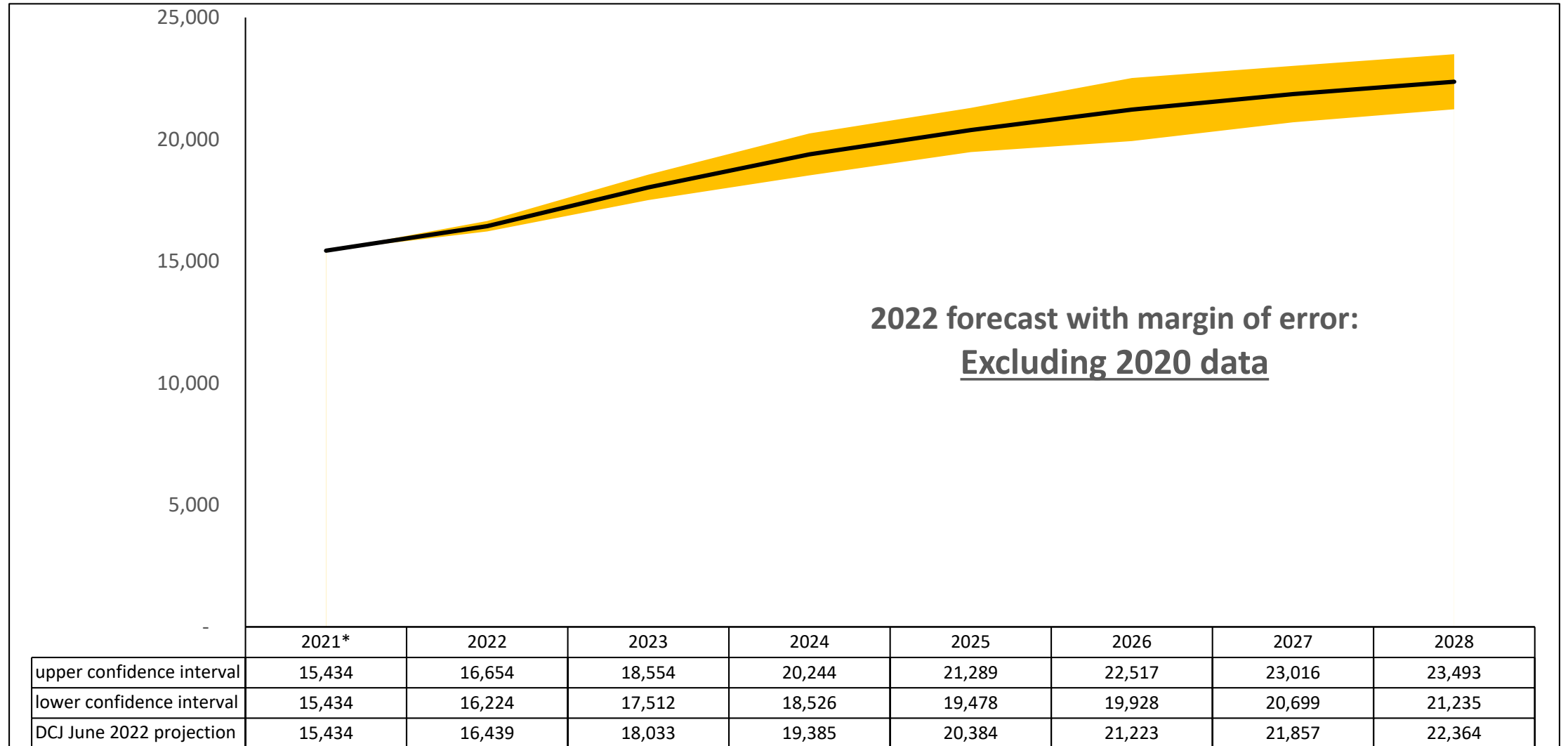
Margins of error in prison forecasts



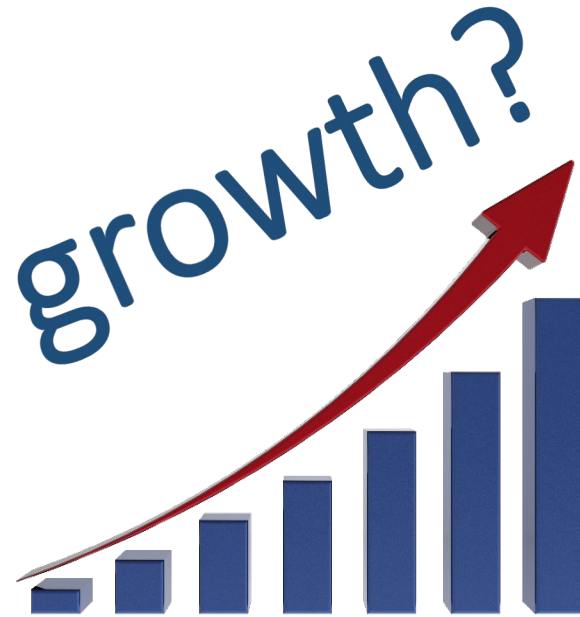
Margins of error in prison forecasts



Margins of error in prison forecasts



Why the return to



Factors: Prison population growth

- The current growth is attributable to increases in new commitments to prison.
- In spite of any declines in admissions due to drug felonies and escape attributable to House Bills 19-1263 and 20-1019, new commitments increased by 26.0% in October alone.
- Monthly counts of new commitments to prison hit a low of 233 in November 2020, the lowest seen in over 20 years. However, these increased 74.3% over the following 12 months.

Factors: Prison population growth

- SB 19-143 eliminated determinate periods of time a parolee could be returned to prison.
 - Consequently, the length of stay in prison for those returned on technical parole violations increased 84.4%.
 - However, even with the increase in length of stay, the reduction in parole returns has little impact on the size of the future population compared to the rise in new commitments.
- The expected increases in future new commitments is driving the projected growth in upcoming years.
 - This influx of new inmates will remain in prison for an estimated 3 years on average. Additionally, larger proportions of new admissions currently comprise those committed for violent crimes (potentially leading to a longer average stay in future years).

Factors: Prison population growth

- Releases from prison concurrently declined by 23.1%.
- While releases had far exceeded overall admissions throughout FY 2021, this differential reversed in FY 2022
- Probation revocations provide an additional source of new commitments to prison. These also slowed along with court operations during 2020, and are expected to increase in the upcoming year.

Factors: Prison population growth

- The female prison population appears to have been particularly affected by the events of the past year:
 - The proportion of the population made up of women fell from 10.0% in early FY 2020 to 7.9% by the end 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 fairly consistently. It is expected that this trend will continue and gradually return to the proportions witnessed in prior years.



Colorado

Drug/Arrest/Crime/Marijuana Trends

Excerpt of a presentation to the Substance Abuse Trend and Response Task Force (coag.gov/task-force) on August 5, 2022

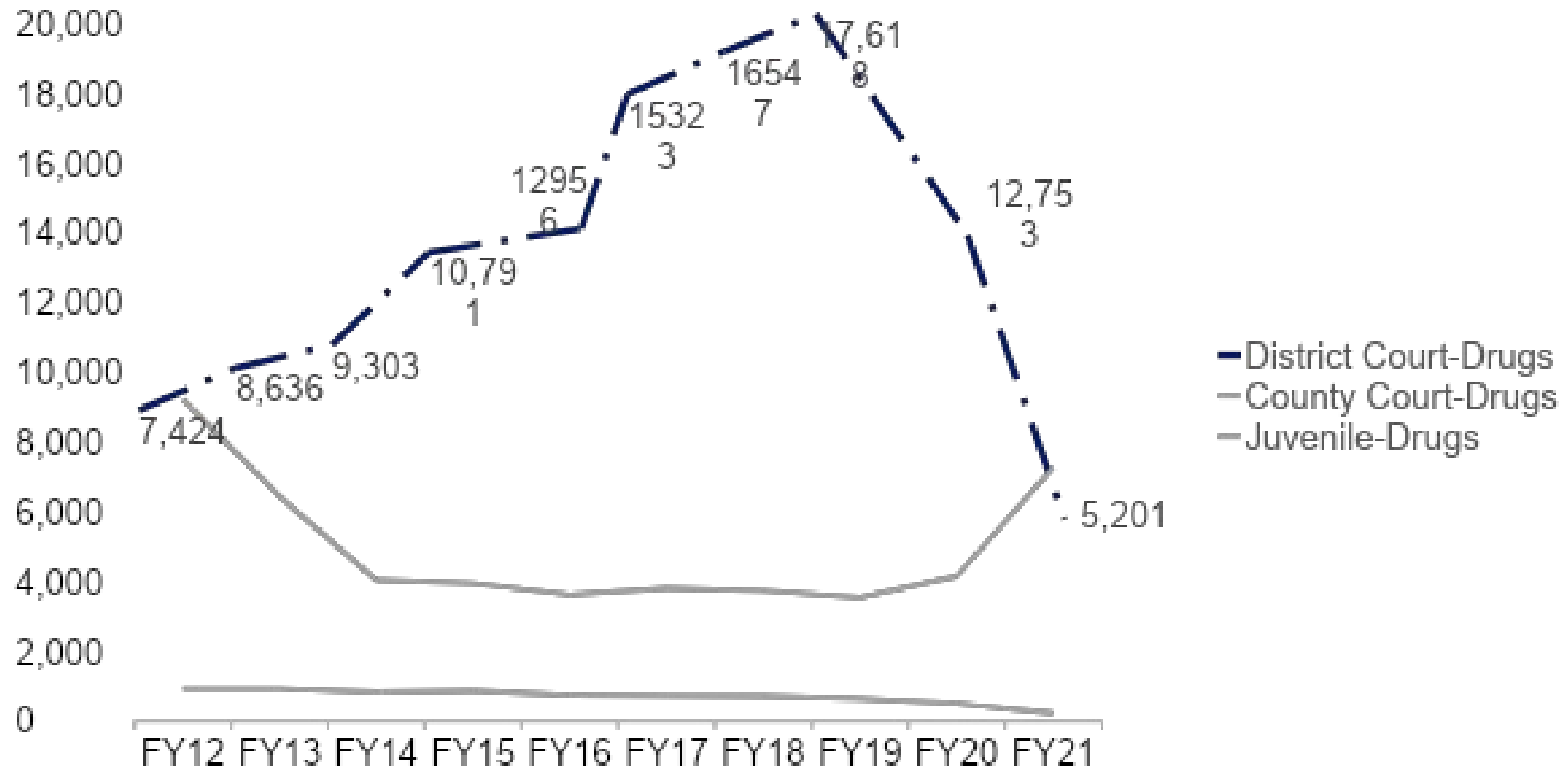
Displayed by Stan Hilkey
Colorado Commission on Criminal and Juvenile Justice, August 12, 2022

HB19-1263: Offense Level for Controlled Substance Possession Stipulations - **Effective March 2020**

Level 4 Drug Felony	Any quantity of Rohypnol, Ketamine & GHB
	More than 4 grams of Schedule I/II
	4th or subsequent offense for under 4 grams of a Schedule I/II drug
Level 1 Drug Misdemeanor	Less than 4 grams of Schedule I/II drugs
	More than 6 oz of marijuana
	More than 3 oz of marijuana concentrates
	Will receive a summons as opposed to an arrest
Level 2 Drug Misdemeanor	Between 2-6 oz of marijuana
	Less than 2 oz of marijuana concentrates
	Will receive a summons as opposed to an arrest
No Charges Filed	Miniscule/unusable amounts of substances
	Drug paraphernalia
Legal Immunity	Reporting a drug or alcohol overdose

Excerpt of a presentation to the Substance Abuse Trend and Response Task Force (coag.gov/task-force) on August 5, 2022, p. 5 of 25

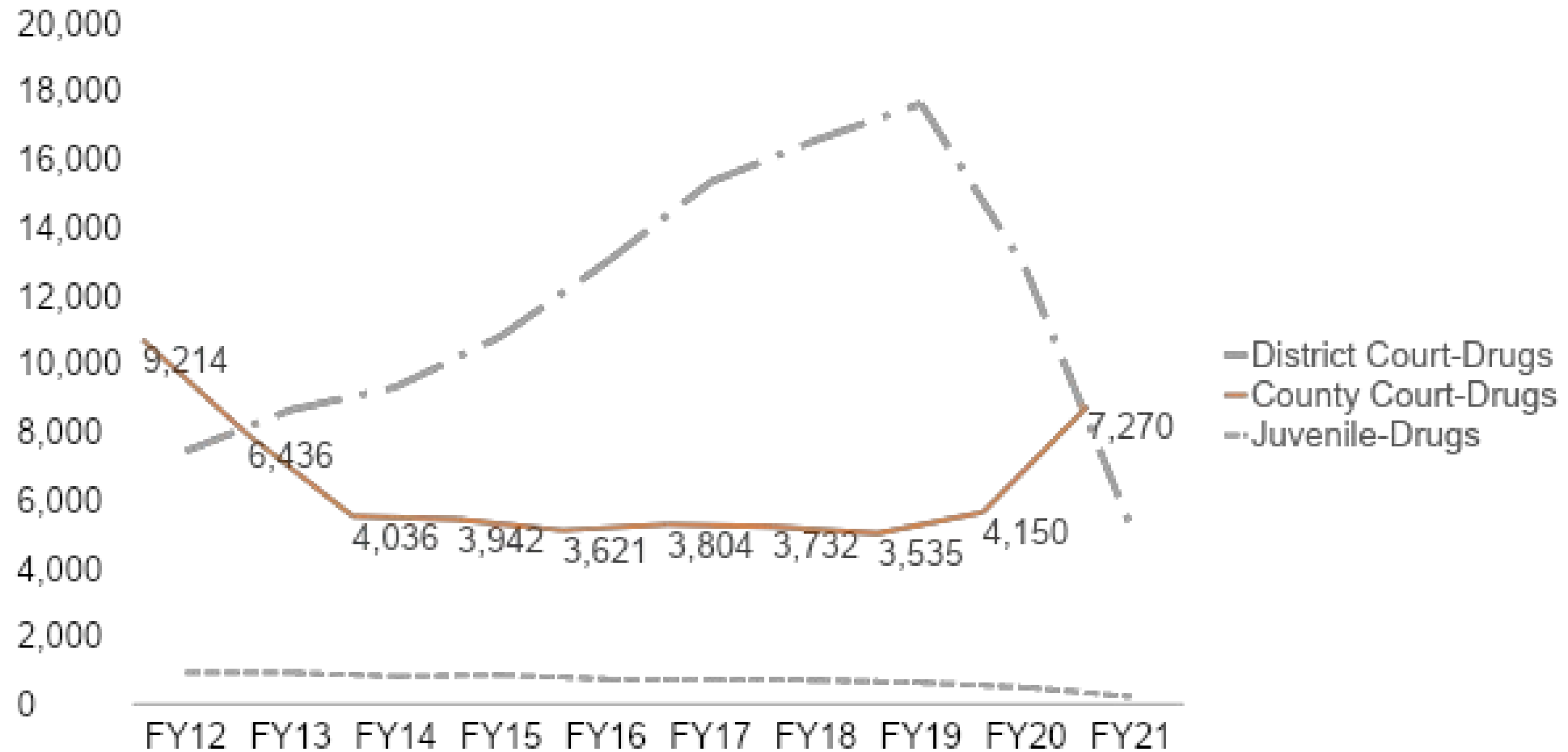
District Drug Court Filings, FY12-21



Source: Colorado Judicial Branch, *Annual Statistical Reports*, <https://www.courts.state.co.us/Administration/Unit.cfm?Unit=annrep>

Excerpt of a presentation to the Substance Abuse Trend and Response Task Force (coag.gov/task-force) on August 5, 2022, p. 6 of 25

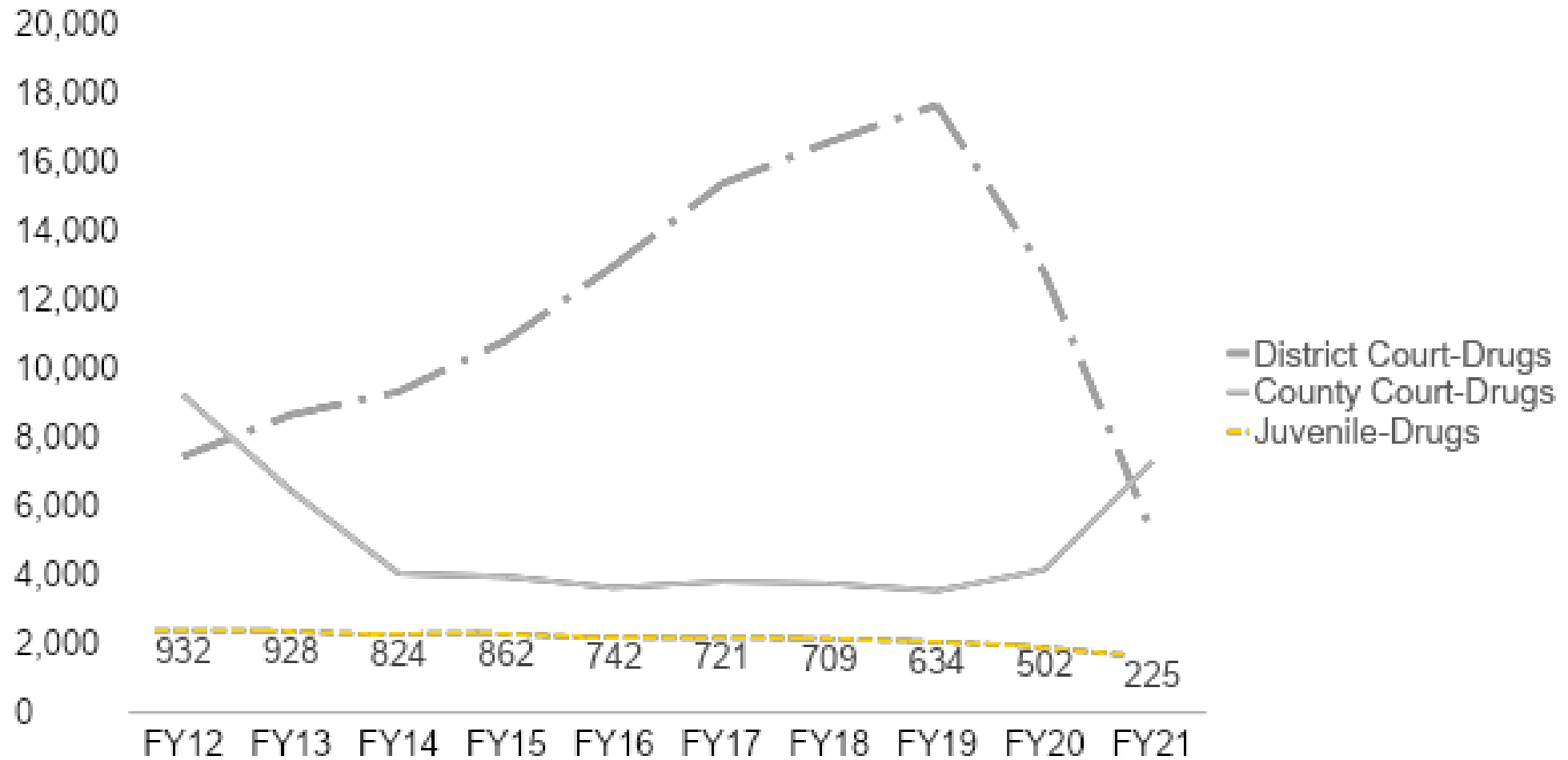
County Drug Court Filings, FY12-21



Source: Colorado Judicial Branch, *Annual Statistical Reports*, <https://www.courts.state.co.us/Administration/Unit.cfm?Unit=annrep>

Excerpt of a presentation to the Substance Abuse Trend and Response Task Force (coag.gov/task-force) on August 5, 2022, p. 7 of 25

Juvenile Drug Court Filings, FY12-21



Source: Colorado Judicial Branch, *Annual Statistical Reports*, <https://www.courts.state.co.us/Administration/Unit.cfm?Unit=annrep>

Excerpt of a presentation to the Substance Abuse Trend and Response Task Force (coag.gov/task-force) on August 5, 2022, p. 8 of 25